

Alabama

2018 dates and deadlines:

<https://sos.alabama.gov/sites/default/files/voter-pdfs/2018/2018AdministrativeCalendar.pdf>

Alabama does not have in-person early voting or election day voter registration

Link to state code—see Title (section) 17 Elections:

<http://alisondb.legislature.state.al.us/alison/codeofalabama/1975/coatoc.htm>

Section 17-13-42: Primary elections are not compulsory; the parties can legally choose to nominate through other means (e.g., convention)

The political parties are allowed to set the rules of their primary elections—they determine which voters are entitled to participate. They can require primary voters to sign a statement affirming support for the party and its nominees, etc. But without formal party registration, it seems difficult to prevent raiding.

The AL Democratic Party's bylaws stipulate that only voters who have been Democrats for at least 36 days prior to the primary are allowed to participate in the primary election. However, this provision (and similar requirements of party support) are unenforceable; again, the state lacks party registration. So, I do not code it as a closed primary. It is semi-open because voters must choose a party's ballot publicly.

In 2017, the state passed a law prohibiting crossover voting for runoff primaries (Act 2017-340). Voters who vote in the primary election of one party may not vote in the opposing party's runoff. If a voter does not vote in the primary election, they can choose which runoff to participate in. The Democratic party has had this rule since 1983; the Republican party adopted it in 2016. (See <https://sos.alabama.gov/newsroom/elimination-crossover-voting-alabama>)

Note that the AL GOP passed a resolution in 2016 calling for closed primaries (specifically, requiring party registration); the legislature would have to pass a law to implement this change. (See https://www.al.com/news/index.ssf/2016/03/alabama_gop_keeps_democrats_ou.html) Why doesn't the party just change its rules to close its primary and let the Dems do as they please?

In presidential election years, the state's presidential and non-presidential primaries are held on the same day (the first Tuesday in March).¹ Otherwise, primary elections are held the first Tuesday in June.

¹ In 2011, HB 425 moved the presidential primary date for both parties from the first Tuesday in February to the second Tuesday in March (to comply with national party rules). This legislation also shifted the primaries for state

Section 17-13-7 ²

Persons entitled to vote; voter to certify political party preference by signing poll list.

(a) All persons who are qualified electors under the general laws of the State of Alabama and who are also members of a political party and entitled to participate in such primary election under the rules of the party shall be entitled to vote therein and shall receive the official primary ballot of that political party, and no other; but every governing body of a party shall have the right, power, and authority to fix and prescribe the political or other qualifications of its own members and shall, in its own way, declare and determine who shall be entitled and qualified to vote in such primary election or to be candidates therein or to otherwise participate in such political parties and primaries. The qualifications of electors entitled to vote in such primary election shall not necessarily be the same as the qualifications for electors entitled to become candidates therein. Nothing herein contained shall be so construed as to prohibit any state executive committee of a party from fixing such qualifications as it may deem necessary for persons desiring to become candidates for nomination to offices at a primary election.

(b) A political party may require all poll lists for primary elections to state at the top thereof that by participating in the primary election a voter shall indicate a preference for the party holding the primary, and will support the nominees of that party in the general election, and that he or she is qualified under the rules of such party to vote in its primary election. No person shall be eligible to participate in the primary unless he or she signs the poll list and thereby certifies to the truth of the statement.

(Acts 1975, No. 1196, p. 2349, §13; §17-16-14; amended and renumbered by Act 2006-570, p. 1331, §59.)

No crossover voting in the primary runoff:

Section 17-13-7.1

Persons entitled to vote in primary runoff elections

(a) If an elector votes in a primary election, he or she may vote in a subsequent primary runoff election only if he or she voted in the primary election of the same political party for which the runoff election is being held.

(b) The Secretary of State shall promulgate rules to implement this section.

Voter registration deadline (14 days before election):

and local offices to coincide with the presidential primary to save the state money. In 2015, SB 240 moved the presidential primaries to the first Tuesday in March.

² Unless otherwise noted, all excerpts from state statutes were copied from current (2018) versions of the statutes.

Section 17-3-50

Registration deadline.

The boards of registrars in the several counties of the state shall not register any person as a qualified elector within 14 days prior to any election; provided, that the boards shall maintain open offices during business days in such 14-day period and on election day during the hours of voting.

(Acts 1950, 4th Ex. Sess., No. 6, p. 45; Code 1975, §17-4-4; Acts 1978, No. 584, p. 667, §14; §17-4-120; amended and renumbered by Act 2006-570, p. 1331, §11; Act 2014-428, p. 1576, §1.)

The voter registration deadline used to be 10 days before the election, but the 14-day deadline went into effect for the 2014 general election.

Candidate filing period:

Section 17-13-5

Filing of declaration of candidacy; certification of names of candidates; preparation of ballots; unopposed candidates.

(a) All candidates for nomination to public office or for election to party office in the primary election provided for in this chapter shall file their declaration of candidacy with the state party chair if they seek any federal, state, circuit, or district office, or the state Senate, House of Representatives, or any other office that is not a county office not later than 5:00 P.M. 116 days before the date of the primary election. All candidates for nomination or election to a county office shall file their declaration with the county party chair not later than 5:00 P.M. 116 days before the date of the primary election.

Alaska

See <http://www.akleg.gov/basis/statutes.asp>; also <http://www.elections.alaska.gov/Core/electiondatesandhours.php> and <http://www.elections.alaska.gov/Core/primaryelectioninformation.php>

Candidate filing deadline is June 1 of the election year:

Sec. 15.25.040. Manner and date of filing declaration.

(a) The declaration is filed by either

(1) the actual physical delivery of the declaration in person or by mail at or before 5:00 p.m., prevailing time, June 1 of the year in which a general election is held for the office; or

(2) reliable electronic transmission of a copy in substance of the statements made in paragraphs (1) - (5) of the declaration as required by AS 15.25.030 (a) at or before 5:00 p.m., prevailing time, June 1 of the year in which a general election is held for the office and also the actual physical delivery of the declaration containing paragraphs (1) - (16) as required by AS 15.25.030 (a) by mail that is received not more than 15 days after that time.

(b) If the postmark is illegible, a dated receipt from the post office where dispatched shall be acceptable as evidence of mailing. If June 1 is a Sunday or holiday, the deadlines for postmarking and receipt of the declaration shall be extended 24 hours in each instance.

The voter registration deadline is 30 days before the election:

Sec. 15.07.070. Procedure for registration.

(c) The names of persons submitting completed registration forms by mail that are postmarked at least 30 days before the next election, or submitting completed registration forms by facsimile or other electronic transmission approved by the director under AS 15.07.050 that are received at least 30 days before the next election, shall be placed on the official registration list for that election. If a registration form received by mail less than 30 days before an election does not have a legible and dated postmark, the name of the person submitting the form shall be placed on the official registration list for that election if the form was signed and dated by the person at least 30 days before the election and if the form is received by the director or election supervisor at least 25 days before the election. The name of a person submitting a completed registration form by mail or by facsimile or other electronic transmission that does not meet the applicable requirements of this subsection may not be placed on the official registration list for that election but shall be placed on the master register after that election.

(d) Qualified voters may register in person before a registration official or through a voter registration agency at any time throughout the year, except that a person registering within 30 days preceding an election is not eligible to vote at that election. Upon receipt and approval of the registration forms, the director or the election supervisor shall forward to the voter an acknowledgment in the form of a registration card, and the voter's name shall immediately be placed on the master register. Names of persons registering 30 or more days before an election shall be placed on the official registration list for that election.

Early voting is offered 15 days before the election:

Sec. 15.20.064. Early voting.

(a) For 15 days before an election and on election day, a qualified voter who meets the requirements set out in this section may vote in locations designated by the director.

The Republican party currently allows registered Republicans plus nonpartisan or undeclared voters to vote in its primary. The Democratic party allows any registered voter to participate in its primary (a blanket primary that includes the Alaska Libertarian Party and the Alaskan Independence Party).

“Alaska law allows a recognized political party to select who may participate in their party's primary. Parties may expand or limit what political affiliations may participate in their primary election by submitting a written notice to the director of elections no later than September 1st of the year prior to the year in which a primary election is to be held.

The political party affiliation listed on a voter's registration record 30 days prior to the election determines which primary ballot type a voter is eligible to vote.”

See Alaska GOP party rules (section 10): <http://www.alaskagop.net/wp-content/uploads/2018/04/2018-Adopted-Rules-3.pdf>

Alaska Democratic party rules (“party plan of organization”): <http://www.alaskademocrats.org/party-platform/>

Alaska state code: <http://www.legis.state.ak.us/basis/statutes.asp>

Sec. 15.25.010. Provision for primary election.

Candidates for the elective state executive and state and national legislative offices shall be nominated in a primary election by direct vote of the people in the manner prescribed by this chapter. The director shall prepare and provide a primary election ballot for each political party. A voter registered as affiliated with a political party may vote that party's ballot. A voter registered as nonpartisan or undeclared rather than as

affiliated with a particular political party may vote the political party ballot of the voter's choice unless prohibited from doing so under AS 15.25.014. A voter registered as affiliated with a political party may not vote the ballot of a different political party unless permitted to do so under AS 15.25.014.

Sec. 15.25.014. Participation in primary election selection of a political party's candidates.

(a) Not later than 5:00 p.m., Alaska time, on September 1 of the calendar year before the calendar year in which a primary election is to be held, a political party shall submit a notice in writing to the director stating whether the party bylaws expand or limit who may participate in the primary election for selection of the party's candidates for elective state executive and state and national legislative offices. A copy of the party's bylaws expanding or limiting who may participate in the primary election for selection of the party's candidates, documentation required under (b) of this section, and other information required by the director, must be submitted along with the notice. The notice, bylaws, documentation, and other information required by the director shall be provided by the party's chairperson or another party official designated by the party's bylaws.

Sec. 15.25.060. Preparation and distribution of ballots; appropriate ballot.

(a) The primary election ballots shall be prepared and distributed by the director in the manner prescribed in this section. The director shall prepare and provide a primary election ballot for each political party that contains all of the candidates of that party for elective state executive and state and national legislative offices and all of the ballot titles and propositions required to appear on the ballot at the primary election.

(b) A voter may vote only one primary election ballot. A voter may vote a political party ballot only if the voter is registered as affiliated with that party, is allowed to participate in the party primary under the party's bylaws, or is registered as nonpartisan or undeclared rather than as affiliated with a particular political party and the party's bylaws do not restrict participation by nonpartisan or undeclared voters in the party's primary. For the purpose of determining which primary election ballot a voter may use, a voter's party affiliation is considered to be the affiliation registered with the director as of the 30th day before the primary election. If a voter changes party affiliation within the 30 days before the primary election, the voter's previous party affiliation shall be used for the determination under this subsection.

Older versions of party bylaws:

[Alaska Democratic Party](#)

Alaska GOP: <https://www.scribd.com/document/289392877/Party-Rules-Alaska-Republican-Party-2016>

Arizona

See Arizona state code at <https://www.azleg.gov/arsDetail/?title=16> and the [2017-2018 State of Arizona Elections Procedures Manual](#)

Arizona allows voters to request early ballots that can be mailed in (like absentee ballots), no excuse required, either for one-time (one election) use or for permanent use. On-site/in-person early voting may be established by individual County Recorders for their respective counties, but it is not offered statewide. On-site early voting may be conducted beginning 27 days before the election and must end by the Friday before the election. (In 2016, it was 26 days before the election.)

16-542. Request for ballot; civil penalties; violation; classification

C. The county recorder or other officer in charge of elections shall mail the early ballot and the envelope for its return postage prepaid to the address provided by the requesting elector within five days after receipt of the official early ballots from the officer charged by law with the duty of preparing ballots pursuant to section 16-545, except that early ballot distribution shall not begin more than twenty-seven days before the election. If an early ballot request is received on or before the thirty-first day before the election, the early ballot shall be distributed not earlier than the twenty-seventh day before the election and not later than the twenty-fourth day before the election.

E. In order to be complete and correct and to receive an early ballot by mail, an elector's request that an early ballot be mailed to the elector's residence or temporary address must include all of the information prescribed by subsection A of this section and must be received by the county recorder or other officer in charge of elections no later than 5:00 p.m. on the eleventh day preceding the election. An elector who appears personally no later than 5:00 p.m. on the Friday preceding the election at an on-site early voting location that is established by the county recorder or other officer in charge of elections shall be given a ballot and permitted to vote at the on-site location. If an elector's request to receive an early ballot is not complete and correct but complies with all other requirements of this section, the county recorder or other officer in charge of elections shall attempt to notify the elector of the deficiency of the request.

Semi-closed primary; partisan voter registration; independent voters not required to affiliate:

16-467. Method of voting on ballot

A. At primary elections there shall be provided a separate ballot for each party entitled to participate in the primary.

B. Each party ballot shall be designated by the name of the party, and for a voter who is registered as a member of a political party that is entitled to continued representation on the ballot pursuant to section 16-804, the voter

shall be given by the judge of election one ballot only of the party with which the voter is affiliated as it appears in the precinct register. For a voter who is registered as independent, or no party preference or as a member of a political party that is not entitled to continued representation on the ballot pursuant to section 16-804, the voter shall designate the ballot of only one of the political parties that is entitled to continued representation on the ballot and the judge of election shall give the elector only that political party's ballot.

Arizona's presidential primary election is closed to voters registered with the party:
<https://apps.azsos.gov/election/2016/Primary/ElectionInformation.htm>

No election day voter registration; the deadline is midnight on the 29th day before the election (this includes making changes to one's party affiliation).

16-120. Eligibility to vote

A. An elector shall not vote in an election called pursuant to the laws of this state unless the elector has been registered to vote as a resident within the boundaries or the proposed boundaries of the election district for which the election is being conducted and the registration has been received by the county recorder or the recorder's designee pursuant to section 16-134 before midnight of the twenty-ninth day preceding the date of the election.

B. If the twenty-ninth day preceding the date of the election falls on a Saturday, Sunday or other legal holiday, voter registrations that are received on the next business day immediately following the Saturday, Sunday or other legal holiday are deemed to have been timely received for purposes of voting in that election.

Candidate filing deadline is 90 days before the primary election. Petition signatures are required.

16-311. Nomination papers; filing; definitions

A. Any person desiring to become a candidate at a primary election for a political party and to have the person's name printed on the official ballot shall be a qualified elector of such party and, not less than ninety nor more than one hundred twenty days before the primary election, shall sign and cause to be filed a nomination paper giving the person's actual residence address or description of place of residence and post office address, naming the party of which the person desires to become a candidate, stating the office and district or precinct, if any, for which the person offers the person's candidacy, stating the exact manner in which the person desires to have the person's name printed on the official ballot pursuant to subsection G of this section, and giving the date of the primary election and, if nominated, the date of the general election at which the person desires to become a candidate.

16-314. Filing and form of nomination petitions; definition

A. Any person desiring to become a candidate at any election and to have the person's name printed on the official ballot shall file not less than ninety nor more than one hundred twenty days before the primary election and with the same officer as provided by section 16-311, a nomination petition in addition to the nomination paper required.

Arkansas

See Code of Arkansas (link to “search/view Arkansas Code” on <http://www.arkleg.state.ar.us/assembly/2017/2018F/Pages/Home.aspx>) through Lexis-Nexis

Dates and deadlines for 2018 elections here:

<https://www.sos.arkansas.gov/uploads/elections/2018ElectionCalendar.pdf>

No election day voter registration; deadline is 30 days before the election (see section 7-5-201)

Deadlines generally:

7-1-108. Election law deadlines.

If an election law deadline occurs on a Saturday, Sunday, or legal holiday, the deadline shall be the next day which is not a Saturday, Sunday, or legal holiday.

7-5-201. Voter qualification.

(a) To be qualified to vote, a person shall have registered at least thirty (30) calendar days immediately prior to the election and in the manner set forth by Arkansas Constitution, Amendment 51.

Early voting is permitted beginning 15 days before the primary or general election and ending the Monday before the election (see section 7-5-418)

7-5-418. Early voting.

(a) (1) (A) Except as provided in subdivision (a) (1) (B) of this section, early voting shall be available to any qualified elector who applies to the county clerk's designated early voting location, beginning fifteen (15) days before a preferential primary or general election between the hours of 8:00 a.m. and 6:00 p.m. Monday through Friday and 10:00 a.m. and 4:00 p.m. Saturday and ending at 5:00 p.m. on the Monday before the election.

(B) Early voting shall not be available on state or county holidays.

(2)

(A) Except as provided in subdivision (a) (2) (B) of this section, on all other elections, including the general primary and general runoff elections, early voting shall be available to any qualified elector who applies to the county clerk during regular office hours, beginning seven (7) days before the election and ending on the day before the election day at the time the county clerk's office regularly closes.

(B) If an annual school election is held at the same time as the preferential primary election or general election, early voting for the annual school election shall comply with subdivision (a) (1) (A) of this section.

Open primaries, public choice of ballot:

7-7-306. Partisan and nonpartisan general election ballots.

(a) At each party primary and nonpartisan general election, each county board of election commissioners shall furnish a separate ballot for each political party containing:

- (1) The name of each person seeking nomination as a candidate of that political party;
 - (2) The name of each candidate for the general election to a nonpartisan office under § 7-10-101 [repealed]; and
 - (3) All measures and questions, if any, to be decided by the voters.
- (b) The county board of election commissioners shall also furnish a separate ballot containing the names of all qualified candidates for the general election to nonpartisan offices and all measures, if any, to be decided by the voters.

7-7-308. Voting procedure and requirements.

- (a) The procedure for voting in primary elections is the same as for general elections.
- (b) At the same time that the voter identifies himself or herself and the party primary or other election in which he or she intends to vote, the election official shall mark next to the voter's name on the precinct voter registration list the party primary or other election in which the voter chooses to vote.

Party choice:

7-7-307. Additional voter qualifications.

- (a) Each political party may establish by party rules additional qualifications to those established by § 7-5-201 for eligibility to vote in primary elections of the party.
- (b) However, any additional qualifications established by a political party shall comply with the National Voter Registration Act of 1993.

Runoff primary (“preferential primary” = primary; “general primary” = runoff primary) and candidate filing period:

7-7-203. Dates.

- (a) The general primary election shall be held on the third Tuesday in June preceding the general election.
- (b) The preferential primary election shall be held on the Tuesday four (4) weeks before the general primary election.
- (c)
 - (1) The party filing period shall be a one-week period ending at 12:00 noon on the first day in March and beginning at 12:00 noon one (1) week prior to the first day in March.

California

The nonpartisan/top-two primary has been in use since 2012

Offers no-excuse voting by mail. Any registered voter may request a vote by mail ballot, and voters may cast their vote-by-mail ballots in person (see sections 3000-3026). I code this as early voting.

3001.

Except as provided in Chapter 3 (commencing with Section 3200) and Sections 3007.5, 3007.7, and 3007.8, application for a vote by mail voter's ballot shall be made in writing to the elections official having jurisdiction over the election between the 29th and the 7th day prior to the election. The application shall be signed by the applicant and shall show his or her place of residence. Any applications received by the elections official prior to the 29th day shall be kept and processed during the application period.
(Amended by Stats. 2013, Ch. 501, Sec. 1. (AB 530) Effective January 1, 2014.)

No election day voter registration; registration deadline is 15 days before the election (see section 2102)

2102.

(a) Except as provided in Chapter 4.5, a person shall not be registered as a voter except by affidavit of registration. The affidavit of registration shall be mailed or delivered to the county elections official and shall set forth all of the facts required to be shown by this chapter. A properly executed affidavit of registration shall be deemed effective upon receipt of the affidavit by the county elections official if received on or before the 15th day before an election to be held in the registrant's precinct. A properly executed affidavit of registration shall also be deemed effective upon receipt of the affidavit by the county elections official if any of the following apply

Candidate filing deadlines: <http://www.sos.ca.gov/elections/prior-elections/statewide-election-results/statewide-direct-primary-june-5-2018/key-dates-deadlines-june-5-2018/>

Link to California state code: <http://leginfo.legislature.ca.gov/faces/codes.xhtml>

ARTICLE 2. Nomination Documents [8020 - 8028]

(Article 2 enacted by Stats. 1994, Ch. 920, Sec. 2.)

8020.

(a) No candidate's name shall be printed on the ballot to be used at the direct primary unless the following nomination documents are delivered for filing to the county elections official:

- (1) Declaration of candidacy pursuant to Section 8040.
- (2) Nomination papers signed by signers pursuant to Section 8041.
- (b) The forms shall first be available on the 113th day prior to the direct primary election, or on the 158th day prior to the primary election for a candidate for membership on a county central committee, and shall be delivered not later than 5 p.m. on the 88th day prior to the primary election. The forms may be delivered to the county elections official by a person other than the candidate.

(Amended by Stats. 2012, Ch. 507, Sec. 35. (SB 1272) Effective January 1, 2013.)

8060. A candidate who declares his or her candidacy shall have registered voters sign his or her nomination papers pursuant to this article.
(Enacted by Stats. 1994, Ch. 920, Sec. 2.)

Top-two primary for voter-nominated offices:

ARTICLE 8. Nominated Candidates [8140 - 8150]

(Article 8 enacted by Stats. 1994, Ch. 920, Sec. 2.)

8141.5. Except as provided in subdivision (b) of Section 8142, only the candidates for a voter-nominated office who receive the highest or second highest number of votes cast at the primary election shall appear on the ballot as candidates for that office at the ensuing general election. More than one candidate with the same party preference designation may participate in the general election pursuant to this subdivision. Notwithstanding the designation made by the candidate pursuant to Section 8002.5, no candidate for a voter-nominated office shall be deemed to be the official nominee for that office of any political party, and no party is entitled to have a candidate with its party preference designation participate in the general election unless that candidate is one of the candidates receiving the highest or second highest number of votes cast at the primary election.

(Amended by Stats. 2012, Ch. 3, Sec. 21. (AB 1413) Effective February 10, 2012.)

A brief history: <http://www.sos.ca.gov/elections/political-parties/no-party-preference/>

Prior to adopting the top-two primary, California used a semi-closed primary system in which unaffiliated (“decline to state”) voters could choose to participate in a party’s primary IF the party allowed it (party choice). See the text of SB 28, which was passed in 2000: http://www.leginfo.ca.gov/pub/99-00/bill/sen/sb_0001-0050/sb_28_bill_20000929_chaptered.html

<http://www.sos.ca.gov/elections/political-parties/no-party-preference/history-political-parties-have-adopted-party-rules-regarding-no-party-preference-voters/>

Presidential primaries (parties choose whether unaffiliated voters are allowed to participate):

13102. (a) All voting shall be by ballot. There shall be provided, at each polling place, at each election at which public officers are to be voted for, but one form of ballot for all candidates for public office, except that, for partisan primary elections, one form of ballot shall be provided for each qualified political party as well as one form of nonpartisan ballot, in accordance with subdivision (b).

(b) At **partisan primary elections**, each voter not registered disclosing a preference with any one of the political parties participating in the election shall be furnished only a nonpartisan ballot, unless he or she requests a ballot of a political party and that political party, by party rule duly noticed to the Secretary of State, authorizes a person who has declined to disclose a party preference to vote the ballot of that political party. The nonpartisan ballot shall contain only the names of all candidates for nonpartisan offices, voter-nominated offices, and measures to be voted for at the primary election. Each voter registered as preferring a political party participating in the election shall be furnished only a ballot for which he or she disclosed a party preference in accordance with Section 2151 or 2152 and the nonpartisan ballot, both of which shall be printed together as one ballot in the form prescribed by Section 13207.

(c) A political party may adopt a party rule in accordance with subdivision (b) that authorizes a person who has declined to disclose a party preference to vote the ballot of that political party at the next ensuing partisan primary election. The political party shall notify the party chair immediately upon adoption of that party rule. The party chair shall provide written notice of the adoption of that rule to the Secretary of State not later than the 135th day prior to the partisan primary election at which the vote is authorized.

(d) The county elections official shall maintain a record of which political party's ballot was requested pursuant to subdivision (b), or whether a nonpartisan ballot was requested, by each person who declined to disclose a party preference. The record shall be made available to any person or committee who is authorized to receive copies of the printed indexes of registration for primary and general elections pursuant to Section 2184. A record produced pursuant to this subdivision shall be made available in either a printed or electronic format, as requested by the authorized person or committee.

(Amended by Stats. 2009, Ch. 1, Sec. 45. (SB 6) Effective January 1, 2010. Operative January 1, 2011, pursuant to Sec. 67 of Ch. 1.)

Colorado

Note: Colorado holds precinct caucuses that partially determine ballot access (candidates must qualify through these caucuses or need to gather enough petition signatures to get on the ballot instead)

<https://www.sos.state.co.us/pubs/elections/Candidates/FAQs/caucuses.html>

Every voter now receives a ballot in the mail, but voters can still vote in person (i.e., drop off their ballots at polling centers) if they wish:

<https://www.sos.state.co.us/pubs/elections/FAQs/mailBallotsFAQ.html>

All-mail voting was first used in 2014. (In 2013, CO also adopted EDR and extended the deadlines for registering to vote by mail, online, and in person.)

Voters can register at the polls in person on election day, but to receive a ballot and vote by mail, they must register by the 7th day before election day.

1-2-201. Registration required - deadlines - additional identifying information to be provided by first-time registrants

(3) (a) Any other provisions of this title to the contrary notwithstanding, an elector is permitted to vote in any primary, presidential, general, coordinated, special legislative, municipal, congressional vacancy, special district, or other election if he or she timely registers to vote before or on the date of such election.

(b) An elector may timely register to vote by:

(I) Submitting an application through a voter registration drive no later than twenty-two days before the election; except that, if the twenty-second day before an election is a Saturday, Sunday, or legal holiday, the elector is permitted to register on the next day that is not a Saturday, Sunday, or legal holiday;

(II) Registering through a high school, in accordance with part 4 of this article 2;

(III) Submitting an application through the mail, a voter registration agency, a local driver's license examination facility, or the online voter registration system established pursuant to section 1-2-202.5 (7)(c), through the eighth day prior to an election; except that, if the eighth day before an election is a Saturday, Sunday, or legal holiday, the elector is permitted to register on the next day that is not a Saturday, Sunday, or legal holiday;

(IV) Appearing in-person at the elector's county clerk and recorder's office at any time during which registration is permitted at the office; or

(V) Appearing in-person at a voter service and polling center pursuant to section 1-2-217.7 at any time during which the voter service and polling center is open, including on election day.

2018 dates:

<https://www.sos.state.co.us/pubs/elections/calendars/2018ElectionCalendar.pdf>

Colorado Revised Statutes available here: <https://leg.colorado.gov/agencies/office-legislative-legal-services/colorado-revised-statutes> (provided through Lexis-Nexis)

Does not have traditional early in-person voting, because voters receive ballots by mail and can return them at any time. But drop-off locations (where voters may also vote in person) must be open at least 15 days prior to the general election, and at least 8 days prior to a primary election. I used this rule to determine “p.ev1.date” and “g.ev1.date” (see C.R.S. 1-5-102.9, C.R.S. 1-7.5-107(4.5)).

1-5-102.9. Voter service and polling centers - number required - services provided - drop-off locations

(2) Voter service and polling centers must be open, at a minimum, for the fifteen-day period prior to and including the day of the election, except that voter service and polling centers are not required to be open on Sundays.

1-7.5-107. Procedures for conducting mail ballot election - primary elections - first-time voters casting a mail ballot after having registered by mail to vote - in-person request for ballot - repeal

(4.5) (a) (I) For any primary or November coordinated election, the county clerk and recorder shall designate voter service and polling centers equal to no fewer than the number of county motor vehicle offices in the county; except that each county shall have no fewer than one voter service and polling center, and, for counties with fewer than twenty-five thousand active electors, as that term is described in subparagraph (II) of this paragraph (a), only one voter service and polling center is required. The county clerk and recorder may add additional voter service and polling center locations as necessary.

(c) The minimum number of voter service and polling centers shall be open during, at a minimum, the eight days prior to and including the day of the election; except that voter service and polling centers are not required to be open on Sundays.

Colorado will hold presidential primaries instead of caucuses in March 2020.

2018 rules:

<https://www.sos.state.co.us/pubs/elections/FAQs/primaryElectionsFAQ.html>

Voters who are already affiliated with a major party are allowed to participate in that party’s primary only. An affiliated voter who wants to change his or her party affiliation must do so 29 days before the primary.

1-2-219. Changing or withdrawing declaration of affiliation

(1) Any eligible elector desiring to change or withdraw the elector's affiliation may do so by completing and signing a prescribed request for the change or withdrawal and filing it with the county clerk and recorder or by submitting a personal letter written by the elector to the county clerk and recorder at any time up to and including the twenty-ninth day preceding an

election; except that, if the twenty-ninth day before an election is a Saturday, Sunday, or legal holiday, the change or withdrawal applies if made by the next day that is not a Saturday, Sunday, or legal holiday.

1-7-201. Voting at primary election

(2.3) An eligible unaffiliated elector is entitled to vote in the primary election of a major political party without affiliating with that political party.

Public vs. private choice: I code it as public choice, because the party primary that an unaffiliated voter participates in is public record. Note, however, that most unaffiliated voters receive both parties' ballots in the mail and choose (privately) which one to complete and return. Unaffiliated voters who participate in a party's primary do not become members of that party; they remain unaffiliated.

In 2016, the Colorado Republican Party held nonbinding caucuses (no presidential preference vote): <https://frontloading.blogspot.com/2015/12/2016-republican-delegate-allocation.html>

Ted Cruz won a majority of delegates at the state convention.

Also in 2016, voters passed a ballot initiative opening up the parties' primary elections to independent voters. Previously, unaffiliated voters needed to affiliate formally with the party in order to participate. (Note that they could affiliate on the day of the primary, and change back to unaffiliated after the election.)

<https://denverite.com/2016/10/24/proposition-108-colorado-let-unaffiliated-voters-vote-primaries/>

Filing deadlines for major party candidates:

Section 1-4-801

(5) Party petitions shall not be circulated nor any signatures be obtained prior to the third Tuesday in January. Petitions must be filed no later than the third Tuesday in March.

Note that the filing dates have changed—in 2014, the first day to circulate candidate petitions was the first Monday in February, and the last day was the 85th day before the primary (March 31).

Changes to 1-7-201 etc. after the ballot initiatives passed:

<https://leg.colorado.gov/bills/sb17-305>

1-7.5-106.5. Registration record - list of mail ballots

(3) The county clerk and recorder or designated election official shall record in the statewide voter registration system created in section 1-2-301 (1) the names and precinct numbers of eligible electors, together with the

date on which the mail ballot was sent and the date on which each mail ballot was returned or otherwise cast. For unaffiliated electors in a primary election, the county clerk and recorder shall record which political party's ballot the elector cast. If a mail ballot is not returned or otherwise cast, or if it is rejected and not counted, that fact must be recorded in the statewide voter registration system. The information is subject to public inspection under applicable laws and rules.

Connecticut

The state political parties hold conventions to endorse candidates. Candidates who receive 50 percent of the delegate vote are party-endorsed candidates (and, if no other candidate opposes them, they become the nominee and there is no primary election for that office). 15 percent of delegate vote is required to qualify for the primary ballot BUT as of a change in the law in 2003, candidates can still collect signatures to try to get on the primary election ballot if they didn't succeed at the convention.

The State or Congressional District Convention shall endorse a candidate for nomination to each of the statewide offices or congressional district office, as the case may be. Candidates so chosen shall run in the primary as party-endorsed candidates. Any candidate that receives "fifteen percent (15%) on any announced, final or accepted roll call vote" shall be eligible to primary. A candidate shall be the nominee of the Democratic Party if no other person has received at least fifteen percent (15%) of the votes of the convention delegates present and voting on any roll call vote taken for endorsement or proposed endorsement of a candidate for such office, or if no other person receives two percent (2%) of the valid signatures of registered Democrats in the state or congressional district, or if no valid opposing candidacy has been filed for nomination to such office by four o'clock (4:00) p.m. on the fourteenth (14th) day following the close of the convention.

Convention/primary election. Major political parties hold state conventions (convening not earlier than the 68th day and closing not later than the 50th day before the date of the primary) for the purpose of endorsing candidates. If no one challenges the endorsed candidate, no primary election is held. However, if anyone (who received at least 15 percent of the delegate vote on any roll call at the convention) challenges the endorsed candidate, a primary election is held to determine the party nominee for the general election.

Connecticut state code: https://www.cga.ct.gov/current/pub/title_09.htm

Different filing deadlines depending on whether the candidate gets on the ballot by convention or by petition; petition dates in dataset correspond to deadlines for candidates petitioning to get on the ballot, while filing dates correspond to deadlines for party certifications (convention endorsements) to be filed

Sec. 9-400. Filing of candidacies; state or district office. (a) A candidacy for nomination by a political party to a state office may be filed by or on behalf of any person whose name appears upon the last-completed enrollment list of such party in any municipality within the state and who has either (1) received at least fifteen per cent of the votes of the convention delegates present and voting on any roll-call vote taken on the endorsement or proposed endorsement of a candidate for such state office, whether or not the party-endorsed candidate for such office received a unanimous vote on the last ballot, or (2) circulated a petition and obtained the signatures of at least two per cent of the enrolled members of such party in the state, in accordance with the provisions of sections 9-404a to 9-404c, inclusive. Candidacies described in subdivision (1) of this subsection shall be filed by submitting to the Secretary of the State not later than four o'clock p.m. on

the fourteenth day following the close of the state convention, a certificate, signed by such candidate and attested by either (A) the chairman or presiding officer, or (B) the secretary of the convention, that such candidate received at least fifteen per cent of such votes, and that such candidate consents to be a candidate in a primary of such party for such state office. Such certificate shall specify the candidate's name as the candidate authorizes it to appear on the ballot, the candidate's full residence address and the title of the office for which the candidacy is being filed. A single such certificate or petition for state office may be filed on behalf of two or more candidates for different state offices who consent to have their names appear on a single row of the primary ballot under subsection (b) of section 9-437. Candidacies described in subdivision (2) of this subsection shall be filed by submitting said petition not later than four o'clock p.m. on the sixty-third day preceding the day of the primary for such office to the registrar of voters of the towns in which the respective petition pages were circulated.

Date petitions available:

Sec. 9-404a. Availability and issuance of primary petition forms for candidacies for nomination to state or district office. Petition forms for candidacies for nomination by a political party to a state office, as defined in section 9-372, or the district office of representative in Congress shall be available from the Secretary of the State beginning on the one-hundred-fifth day preceding the day of the primary for such state and district offices.

Election Day registration is not available at polling places but at designated EDR locations in each town (EDR law approved in 2012). Election Day registration is also not available for primary elections—only general elections. The latest you can register to vote in the primary is in-person by noon the day before the primary.

<https://portal.ct.gov/SOTS/Election-Services/Voter-Information/First-Time-Voter-Fact-Sheet>

Sec. 9-23a. When person admitted as an elector permitted to vote in primary.

Exception. (a) Except as provided in subsection (b) of this section, no person admitted as an elector after twelve o'clock noon on the last business day before a primary shall be permitted to vote in such primary.

Sec. 9-23g. Mail-in application for admission. (a) In addition to the procedures for admission of electors under sections 9-19b, 9-19c, 9-19e, 9-20 and 9-31, any person may apply to a registrar of voters of the town of his residence for admission as an elector in accordance with the provisions of this section and section 9-23h.

(d) (1) Except as otherwise provided in this subsection, the privileges of an elector for any applicant for admission under this section and section 9-23h shall attach immediately upon approval by the registrar, and the registrars shall enter the name of the elector on the registry list.

Voters must change their party registration 3 months prior to the primary:

Sec. 9-59. Erasure or transfer of name. Any elector whose name appears on any enrollment list or who has made application for enrollment may, at any time, make a written application, on an application form for admission as an elector, which shall be signed by such elector, to either registrar for erasure of his name from such list or for transfer of his name to the enrollment list of another party. If an elector makes an application for erasure, his name shall be erased from said enrollment list and, if a municipality is having a primary in which unaffiliated electors are authorized to vote, under section 9-431, such elector's name shall be placed on the list of unaffiliated electors together with the date he is eligible to vote in a primary. If an elector makes an application for transfer, his name shall be transferred to the enrollment list of another party, together with the effective date of such transfer. Any elector whose name has been transferred from one enrollment list to another or who has applied for erasure or transfer of his name from an enrollment list shall not be entitled to participate or vote in a caucus or primary of any party, participate in the appointment of members to any board or commission that is political in nature, be appointed as a member of any board or commission that is political in nature or be entitled to the privileges accompanying enrollment in any party for a period of three months from the date of the filing of his application for transfer or for erasure. Any elector who removes his name from the registry list and from an enrollment list in accordance with the provisions of section 9-35b shall not be entitled to enroll in any political party or vote in any primary for three months after such removal. The registrars of voters shall state, on the notice of acceptance sent under sections 9-23g, 9-19b and 9-19e, the date enrollment privileges take effect, if delayed.

Parties may decide who is eligible to participate in their primaries:

Sec. 9-431. Eligibility to vote at primary. (a) No person shall be permitted to vote at a primary of a party unless (1) he is on the last-completed enrollment list of such party in the municipality or voting district, as the case may be, or (2) if authorized by the state rules of such party filed pursuant to section 9-374, he is an unaffiliated elector in the municipality or voting district, as the case may be, provided if two or more such parties are holding primaries on the same day in such municipality or voting district, whether for the same offices or different offices, such unaffiliated elector may vote in the primary of only one such party. Such state party rules may authorize unaffiliated electors to vote for some or all offices to be contested at its primaries.

Timing:

Sec. 9-423. Time for primaries; state, district or municipal office. (a) The primaries of all parties for nomination to an office to be voted upon at a state election shall be held on the second Tuesday in August in the year in which such state election is held.

2018 dates: [https://portal.ct.gov/-/media/sots/ElectionServices/Calendars/2018 Election/2018-Calendar-searchable-pdf.pdf?la=en](https://portal.ct.gov/-/media/sots/ElectionServices/Calendars/2018%20Election/2018-Calendar-searchable-pdf.pdf?la=en)

(the calendar also includes language about the rules of election day registration)

No in-person early voting

District of Columbia

Code of the District of Columbia:

<https://code.dccouncil.us/dc/council/code/titles/1/chapters/10/>

DC Official Code §§ 1-1001.09 (g) (1) No person shall vote more than once in any election nor shall any person vote in a primary or party election held by a political party other than that to which he or she has declared himself or herself to be a member.

DC implemented election day registration and in-person early voting in 2010

Change affiliation; election day voter registration:

DC Official Code §§ 1-1001.07

(4) After the 21st day preceding an election, a qualified elector may register to vote in the precinct in which the voter maintains residence by completing a voter registration application and submitting it in person at the Board's office. A qualified elector shall not change his or her party affiliation after the 21st day preceding an election.

(5) A qualified elector may register on election day by appearing in person at the polling place for the precinct in which the individual maintains residence by completing a voter registration application, making an oath in the form prescribed by the Board, and providing proof of residence. An individual may prove residence for purposes of registering by presenting such identification as required under federal law, District law, or Board regulation, including a current and valid government photo identification or a copy of a current utility bill, bank statement, government check, pay check, or other document specified by the Board, that shows the current name and address of the voter. Each individual who successfully registers on Election Day shall cast a regular ballot. A qualified elector shall not change his or her party affiliation on election day.

Filing requirements and deadlines:

<https://www.dcboe.org/Candidates/Candidate-Guide-to-Ballot-Access>

Candidates must file petitions, circulated beginning no earlier than 144 days before the primary election and filed at least 90 days before the primary

https://www.dcboe.org/dcboe/media/PDFFiles/GeneralElectionCalendar_110618.pdf

§ 1-1001.08.

(4) A nominating petition for a candidate in a primary election for any such office may not be circulated for signature before the 144th day preceding the date of such election and may not be filed with the Board before the 115th day preceding such date. The Board may prescribe rules with respect to the preparation and presentation of nominating petitions. The Board shall arrange

the ballot of each political party in each such primary election as to enable a voter of such party to vote for nominated candidates of that party.

DC has closed primaries. Voters who choose not to register with a party (either no party or wrote in an “other party” not on listed on the registration form) may not participate in a party’s primary. Listed parties include Democratic, Republican, DC Statehood Green, and Libertarian. It’s not explicitly stated but I think a new voter could register with a party on election day at the polls and participate in the primary (DC has election day registration). Already registered voters who want to change their affiliation must do so 21 days before the primary.

NOTE: If you are previously registered, you may not change your party affiliation either on Election Day or at an Early Voting Center.

<https://www.dcboe.org/FAQS/Voter-Registration>

In person early voting begins 10 days before the election (in practice, it seems to begin earlier than that—I enter the dates provided by DCBOE sources when available); see D.C. Official Code §§ 1-1001.09(b-1)(1)-(2) and 3 DCMR § 703

703.3 Satellite early voting centers shall be open from the second Sunday preceding Election Day to the Saturday prior to Election Day from the hours of 8:30 a.m. to 7 p.m. The Board’s office shall serve as the early voting center for the in-person absentee voting period for the hours specified in this chapter.

§ 1-1001.09.

(b-1) (1) For each primary and general election, the Board shall designate no fewer than 8 early voting centers, with at least one early voting center available in a central location within each election ward.

(2) At each early voting center, the Board shall allow persons to vote in person for not more than 10 days before election day; provided, that no early voting shall occur on a holiday.

Delaware

The political party affiliation question on the voter registration form is open-ended—that is, applicants can fill in the blank (there isn't a list of parties to choose from). So I guess people are allowed to leave it blank or write independent/no preference/none/etc.

No in-person early voting or election day voter registration

Delaware state code: <http://delcode.delaware.gov/>

Closed primaries:

§ 3110 **Qualifications of voters.**

An elector may vote in the primary election of a political party only if the elector is a duly registered voter and if it appears upon the elector's original permanent registration record that the elector's party affiliation is the same as the party which is holding the primary election.

Changes in party affiliation:

§ 2049 **Change of party designation; procedure.**

(a) Any duly registered voter may apply to change that registered voter's political affiliation by completing and submitting a voter registration application to the Department except in the year of a general election during the period from the **last Saturday in May through the day of the primary election.**

2018 dates:

<https://elections.delaware.gov/calendar/2018ElectionCalendar.pdf>

Voter registration deadline:

§ 2036 **Deadline to register to vote: primary and general elections.**

The last date to register to vote for any presidential primary, primary and general election shall be the fourth Saturday prior to the date of the election.

(1) Mail applications postmarked on or before the deadline shall be considered to be on-time and shall be immediately processed by the Department; and

(2) Applications taken by agencies in accordance with subchapter VII of this chapter on or before the deadline shall be considered on-time and shall be processed by the Department immediately upon receipt.

§ 3189 Presidential primary election ballots, voting in presidential election; change of party affiliation.

- The name of each presidential candidate in the presidential primary shall appear on the primary election ballot in accordance with § 3124(b) of this title. In any presidential primary election, each voter shall be permitted to vote 1 vote for 1 presidential candidate of the party of the voter's registration as shown by the voter's original permanent registration record. The last day that a voter may change his or her political party affiliation before the presidential primary election shall be the sixtieth day before the day of the aforesaid election.

§ 3101 Nomination, withdrawal and primary election dates [Effective until Dec. 31, 2018]

The following schedule shall apply for all candidates:

(1) Notification of candidacy shall be on or before 12:00 noon of the second Tuesday in July.

Florida

<http://dos.myflorida.com/elections/for-voters/quick-facts-primary-election/>

1. If all the candidates for an office have the same party affiliation and the winner of the primary election will not face any opposition in the general election, then all registered voters can vote for any of the candidates for that office in the primary election.
2. If races for nonpartisan (i.e. free from party affiliation) judicial and school board offices, nonpartisan special districts or referendum questions are on the primary election ballot, then all registered voters, including those without party affiliation are entitled to vote those races on the ballot.

Florida adopted early voting in 2004

Early voting:

<http://dos.myflorida.com/elections/for-voters/voting/early-voting/>

2018 dates:

<http://dos.myflorida.com/elections/for-voters/election-dates/>

Florida state code: <http://www.leg.state.fl.us/statutes/>

Closed primaries:

101.021 Elector to vote the primary ballot of the political party in which he or she is registered.—In a primary election a qualified elector is entitled to vote the official primary election ballot of the political party designated in the elector’s registration, and no other. It is unlawful for any elector to vote in a primary for any candidate running for nomination from a party other than that in which such elector is registered.

A law in 2011 reduced the length of the early voting period from 14 days to 8 days.

101.657 Early voting.—

(d) Early voting shall begin on the 10th day before an election that contains state or federal races and end on the 3rd day before the election, and shall be provided for no less than 8 hours and no more than 12 hours per day at each site during the applicable period. In addition, early voting may be offered at the discretion of the supervisor of elections on the 15th, 14th, 13th, 12th, 11th, or 2nd day before an election that contains state or federal races for at least 8 hours per day, but not more than 12 hours per day. The supervisor of elections may provide early voting for elections that are not held in conjunction with a state or federal election. However, the supervisor has the discretion to determine the hours of operation of early voting sites in those elections.

Voter registration deadline:

97.055 Registration books; when closed for an election.—

(1)(a) The registration books must be closed on the 29th day before each election and must remain closed until after that election. If an election is called and there are fewer than 29 days before that election, the registration books must be closed immediately.

(b) Except as provided in paragraph (c), when the registration books are closed for an election, updates to a voter's name, address, and signature pursuant to ss. 98.077 and 101.045 shall be the only changes permitted for purposes of the upcoming election. New voter registration applications must be accepted but only for the purpose of subsequent elections.

(c) When the registration books are closed for an upcoming election, an update or change to a voter's party affiliation made pursuant to s. 97.1031 shall be permitted for that upcoming election unless such election is for the purpose of nominating a political party nominee, in which case the update or change shall be permitted only for the purpose of subsequent elections.

Candidate filing period:

99.061 Method of qualifying for nomination or election to federal, state, county, or district office.—

(1) The provisions of any special act to the contrary notwithstanding, each person seeking to qualify for nomination or election to a federal, state, or multicounty district office, other than election to a judicial office as defined in chapter 105 or the office of school board member, shall file his or her qualification papers with, and pay the qualifying fee, which shall consist of the filing fee and election assessment, and party assessment, if any has been levied, to, the Department of State, or qualify by the petition process pursuant to s. 99.095 with the Department of State, at any time after noon of the 1st day for qualifying, which shall be as follows: the 120th day prior to the primary election, but not later than noon of the 116th day prior to the date of the primary election, for persons seeking to qualify for nomination or election to federal office or to the office of the state attorney or the public defender; and noon of the 71st day prior to the primary election, but not later than noon of the 67th day prior to the date of the primary election, for persons seeking to qualify for nomination or election to a state or multicounty district office, other than the office of the state attorney or the public defender.

Georgia

2018 dates:

http://sos.ga.gov/index.php/elections/2018_elections_and_voter_registration_calendar

Georgia has runoff elections—a candidate must receive a majority of the votes cast in order to win (except for presidential electors):

§ 21-2-501. Number of votes required for election

(a)

(1) Except as otherwise provided in this Code section, no candidate shall be nominated for public office in any primary or special primary or elected to public office in any election or special election unless such candidate shall have received a majority of the votes cast to fill such nomination or public office. In instances where no candidate receives a majority of the votes cast, a run-off primary, special primary runoff, run-off election, or special election runoff between the candidates receiving the two highest numbers of votes shall be held. Unless such date is postponed by a court order, such run-off primary, special primary runoff, run-off election, or special election runoff shall be held as provided in this subsection.

(2) In the case of a runoff from a general primary or a special primary or special election held in conjunction with a general primary, the runoff shall be held on the Tuesday of the ninth week following such general primary.

(3) In the case of a runoff from a general election for a federal office or a runoff from a special primary or special election for a federal office held in conjunction with a general election, the runoff shall be held on the Tuesday of the ninth week following such general election.

(4) In the case of a runoff from a general election for an office other than a federal office or a runoff from a special primary or special election for an office other than a federal office held in conjunction with a general election, the runoff shall be held on the twenty-eighth day after the day of holding the preceding general election.

(10) The run-off primary, special primary runoff, run-off election, or special election runoff shall be a continuation of the primary, special primary, election, or special election for the particular office concerned. Only the electors who were duly registered to vote and not subsequently deemed disqualified to vote in the primary, special primary, election, or special election for candidates for that particular office shall be entitled to vote therein, and only those votes cast for the persons designated as candidates in such run-off primary, special primary runoff, run-off election, or special election runoff shall be counted in the tabulation and canvass of the votes cast. No elector shall vote in a run-off primary or special primary runoff in violation of Code Section 21-2-224.

Link to Georgia state code (provided through Lexis-Nexis): <http://www.legis.ga.gov/en-US/default.aspx>

No election day voter registration

Open primary, no partisan registration:

§ 21-2-224. Registration deadlines; restrictions on voting in primaries; official list of electors; voting procedure when portion of county changed from one county to another

(a) If any person whose name is not on the list of registered electors maintained by the Secretary of State under this article desires to vote at any general primary, general election, or presidential preference primary, such person shall make application as provided in this article by the close of business on the fifth Monday or, if such Monday is a legal holiday, by the close of business on the following business day prior to the date of such general primary, general election, or presidential preference primary.

(d) Each elector who makes timely application for registration, is found eligible by the board of registrars and placed on the official list of electors, and is not subsequently found to be disqualified to vote shall be entitled to vote in any primary or election; provided, however, that an elector, voting in the primary or primaries held by a single party for the nomination of candidates to seek public offices to be filled in an election, shall not vote in a primary held by any other party for the nomination of candidates to seek public offices to be filled in the same such election.

§ 21-2-284. Form of official primary ballot; attestation regarding receiving value in exchange for vote

(a) In each primary separate official ballots shall be prepared for the political party holding the primary. At the top of each ballot shall be printed in prominent type the words "OFFICIAL PRIMARY BALLOT OF _____ PARTY FOR," followed by the designation of the precinct for which it is prepared and the name and date of the primary.

Apparently there is no restriction on crossover voting in runoff primaries; probably because it would be difficult to enforce (no party registration—but do they record which party's ballot a person takes in the primary?)

I can't figure out how exactly the primary works—do voters have to ask for a specific party's ballot, I assume (i.e., public choice)?

A bill passed in 2011 shortened the early voting period from 45 days to 21 days.

Early voting period (as of 2012):

§ 21-2-385. Procedure for voting by absentee ballot; advance voting

(d) (1) There shall be a period of advance voting that shall commence:

(A) On the fourth Monday immediately prior to each primary or election;

(B) On the fourth Monday immediately prior to a runoff from a general primary;

(C) On the fourth Monday immediately prior to a runoff from a general election in which there are candidates for a federal office on the ballot in the runoff; and

(D) As soon as possible prior to a runoff from any other general election in which there are only state or county candidates on the ballot in the runoff

and shall end on the Friday immediately prior to each primary, election, or runoff.

Candidates can file a petition in lieu of paying the filing fee if they cannot afford it.

Deadlines:

§ 21-2-153.

(c) (1) (A) In the case of a general state or county primary, the candidates or their agents shall commence qualifying at 9:00 A.M. on the Monday of the eleventh week immediately prior to the state or county primary and shall cease qualifying at 12:00 Noon on the Friday immediately following such Monday, notwithstanding the fact that any such days may be legal holidays. All qualifying for federal and state offices shall be conducted in the state capitol.

Hawaii

Open primaries, no party registration, private choice of which party's primary to participate in

However, both major parties in Hawaii conduct closed party caucuses for president:
<https://hawaiidemocrats.org/presidential-preference-poll/>
http://gophawaii.net/?page_id=866# TOC_250006

2018 dates: <https://elections.hawaii.gov/wp-content/uploads/2017/05/FS100BO005-Election-Calendar.pdf>

Article II of state constitution (<http://lrbhawaii.org/con/conart2.html>):

REGISTRATION; VOTING

Section 4. The legislature shall provide for the registration of voters and for absentee voting and shall prescribe the method of voting at all elections. Secrecy of voting shall be preserved; provided that no person shall be required to declare a party preference or nonpartisanship as a condition of voting in any primary or special primary election. Secrecy of voting and choice of political party affiliation or nonpartisanship shall be preserved. [Am Const Con 1978 and election Nov 7, 1978]

State code here: <https://portal.ehawaii.gov/government/hawaii-legislature/hawaii-revised-statutes/>

§12-21 Official party ballots. The primary or special primary ballot shall be clearly designated as such. The names of the candidates of each party qualifying under section 11-61 or 11-62 and of nonpartisan candidates may be printed on separate ballots, or on a single ballot. The name of each party and the nonpartisan designation shall be distinctly printed and sufficiently separate from each other. The names of all candidates shall be printed on the ballot as provided in section 11-115. When the names of all candidates of the same party for the same office exceed the maximum number of voting positions on a single side of a ballot card, the excess names may be arranged and listed on both sides of the ballot card and additional ballot cards if necessary. When separate ballots for each party are not used, the order in which parties appear on the ballot, including nonpartisan, shall be determined by lot.

§12-31 Selection of party ballot; voting. No person eligible to vote in any primary or special primary election shall be required to state a party preference or

nonpartisanship as a condition of voting. Each voter shall be issued the primary or special primary ballot for each party and the nonpartisan primary or special primary ballot. A voter shall be entitled to vote only for candidates of one party or only for nonpartisan candidates. If the primary or special primary ballot is marked contrary to this paragraph, the ballot shall not be counted.

In any primary or special primary election in the year 1979 and thereafter, a voter shall be entitled to select and to vote the ballot of any one party or nonpartisan, regardless of which ballot the voter voted in any preceding primary or special primary election. [L 1970, c 26, pt of §2; am L 1973, c 217, §2(i); am L 1974, c 34, §2(c); am L 1979, c 139, §9; gen ch 1985]

Candidate filing:

<https://elections.hawaii.gov/wp-content/uploads/FS112BO003-Candidate-Filing.pdf>

§12-2.5 Nomination papers; when available. Nomination papers shall be made available from the first working day of February in every even-numbered year; provided that in the case of a special primary or special election, nomination papers shall be made available at least ten days prior to the close of filing.

§12-6 Nomination papers: time for filing; fees. (a) For members of Congress, state offices, county offices, and the board of trustees for the office of Hawaiian affairs, nomination papers shall be filed with the chief election officer, or clerk in case of county offices, not later than 4:30 p.m. on the first Tuesday in June.

Registration closes 30 days before the election, but there are options for election day voter registration (starting with 2018 elections):

[§11-15.2] Late registration. *[Section effective January 1, 2018.]* (a) Notwithstanding the closing of the general county register pursuant to section 11-24, a person who is eligible to vote but is not registered to vote may register by appearing in person:

(1) Prior to the day of the election, at any absentee polling place established pursuant to section 15-7 in the county associated with the person's residence; or

(2) On the day of the election, at the polling place in the precinct associated with the person's residence.

In 2016, voters could register at early voting sites: <https://www.commoncause.org/hawaii/press-release/hawaii-adopts-election-day/>
https://elections.hawaii.gov/wp-content/uploads/2016/01/Candidate-Filing-2016_FINAL.pdf

Early voting period (this seems to vary a bit from year to year; sometimes it is 10 working days before election day and other times it is 14 days before election day):

§15-7 Absentee polling place; registration at absentee polling place. (a) Absentee polling places shall be established at the office of the respective clerks, and may be established at other sites as may be designated by the clerk under the provisions prescribed in the rules adopted by the chief election officer. Section 11-21 relating to changes and transfers of registration shall apply to the absentee polling place as though it were the precinct at which a person's name properly appears on the list of registered voters.

(b) The absentee polling places shall be open no later than ten working days before election day, and all Saturdays falling within that time period, or as soon thereafter as ballots are available; provided that all absentee polling places shall be open on the same date statewide, as determined by the chief election officer.

Note for later: it seems there was a court case about the open primary

Case Notes

Where political party did not develop evidence showing that the State's open primary system severely burdened its associational rights, the party's facial challenge failed; among other things, the party provided no evidence showing a "clear and present danger" that adherents of opposing parties determined the party's nominees. 833 F.3d 1119 (2016).

Where plaintiff claimed provisions requiring an open primary were facially unconstitutional because allowing voters to associate anonymously with a political party violated a party's First Amendment right of free

association: (1) plaintiff's purely facial challenge to the open primary failed; and (2) the court could not assess whether plaintiff's associational rights were burdened without considering evidence as to the extent, if any, of that burden. 982 F. Supp. 2d 1166 (2013).

Selection of a party's ballot does not automatically make voter a party member. 56 H. 519, 542 P.2d 1272

Idaho

Party choice: the law requires primaries to be closed, unless a party notifies the Secretary of State (in writing 6 months prior to the election) that it will allow voters who are not registered with the party to participate (new state law passed in 2011 and went into effect for 2012 primaries)

The 2012 primary allowed registration at the polls, because the state had not had party registration before (see Sinclair 2013).

2018 dates: <https://sos.idaho.gov/elect/2018Calendar.html>

Deadlines to **pre-register** to vote with the County Clerk: 4/20/18 (primary); 10/12/18 (general)

Primary election information:

https://sos.idaho.gov/elect/primary_elections_in_idaho.html

Rules for party affiliation:

Changing Party Affiliation

For a primary election, an elector may change their political party affiliation or become “unaffiliated” by filing a signed form with the county clerk no later than the 10th Friday prior to such primary election, as provided for in [Idaho Code § 34-704](#).

An “unaffiliated” elector may affiliate with the party of the elector's choice by filing a signed form up to and including election day. The application form for an absentee ballot described in [Idaho Code § 34-1002](#), may also be used for this purpose.

An “unaffiliated” elector may affiliate with the party of the elector's choice on or before election day, by declaring such political party affiliation to the poll worker. The poll worker shall then record in the poll book the elector's choice. After the primary election, the county clerk shall record the party affiliation so recorded in the poll book as part of such elector's record within the voter registration system as provided for in [Idaho Code § 34-437A](#).

Voters select one of three primary ballots: Democratic, Republican, or nonpartisan

Republicans have a closed primary, but new or unaffiliated voters may declare themselves Republicans on election day. Democrats have an open primary (any voter may participate). <https://idahodems.org/voting-faq-may-18/>

This is why “change.reg” is coded as “varies” for Idaho—Democrats do not require voters to register with the party at all. Republicans, on the other hand, require

unaffiliated voters to register (though they can do so on election day), and already-affiliated voters must change their affiliation to Republican 10 weeks before the primary.

Idaho statutes:

<https://legislature.idaho.gov/statutesrules/idstat/Title34/T34CH9/SECT34-904A/>

TITLE 34
ELECTIONS
CHAPTER 9
BALLOTS

34-904A. ELIGIBILITY TO VOTE IN PRIMARY ELECTIONS. (1) Except as provided in subsection (2) of this section, an elector who has designated a party affiliation shall be allowed to vote only in the primary or presidential primary election of the political party for which such an elector is so registered.

(2) A political party qualified to participate in elections pursuant to section [34-501](#), Idaho Code, may, no later than the last Tuesday in the November prior to a primary or presidential election, notify the secretary of state in writing that the political party elects to allow, in addition to those electors who have registered with that political party, any of the following to vote in such party's primary or presidential primary election:

(a) Electors designated as "unaffiliated";

(b) Electors registered with a different political party qualified to participate in elections pursuant to section [34-501](#), Idaho Code. In the event a state chairman of a political party elects to allow electors to vote in that party's primary or presidential primary election pursuant to this paragraph (b), the state chairman shall identify which political parties' registrants are allowed to vote in such primary or presidential primary election.

(3) In the event that more than one (1) political party allows "unaffiliated" electors to vote in their party's primary or presidential primary election, an "unaffiliated" elector shall designate which political party's primary or presidential primary election the elector chooses to vote in by declaring such designation to the poll worker or other appropriate election personnel, who shall then record in the poll book the elector's choice. The county clerk shall record such choice as part of the elector's voting history within the voter registration system as provided for in section [34-437A](#), Idaho Code.

Provides in-person early voting and election day voter registration:

34-1012. ALTERNATIVE PROCEDURES FOR ABSENTEE VOTING – EARLY VOTING. (1) Those counties that utilize absentee voting facilities that have access to the Idaho statewide voter registration system and count ballots at a central location or utilize a polling location based tabulation system may elect to conduct "early voting"

according to the provisions of this section. For those counties that elect to do "early voting," early voting shall begin on or before the third Monday before the election and end at 5:00 p.m. on the Friday before the election. Primary election ballots shall be issued pursuant to section 34-1002(2), Idaho Code.

34-408A. ELECTION DAY REGISTRATION. An individual who is eligible to vote may register on election day by appearing in person at the polling place for the precinct in which the individual maintains residence, by completing a registration application, making an oath in the form prescribed by the secretary of state and providing proof of residence.

Otherwise the registration deadline is 25 days before the election

Candidate filing:

34-704. DECLARATION OF CANDIDACY. Any person legally qualified to hold such office is entitled to become a candidate and file his declaration of candidacy. Each political party candidate for precinct, state, district or county office shall file his declaration of candidacy in the proper office between 8 a.m., on the twelfth Monday preceding the primary election and 5 p.m., on the tenth Friday preceding the primary election.

Illinois

2018 dates:

<https://www.elections.il.gov/Downloads/ElectionInformation/PDF/2018ElectionSchedule.pdf>

Election day registration:

When may I register to vote? Regular registration is open year round except during the 27-day period just prior to an election and during the 2-day period after each election (1 day after in Chicago). Grace period registration is an extension of the regular registration deadline from the 27th day prior to an election through Election Day. Grace period registration is only available “in-person” at sites authorized by each election authority.

<https://www.elections.il.gov/Downloads/ElectionInformation/PDF/GracePeriodReg.pdf>

(10 ILCS 5/5-50)

Sec. 5-50. Grace period. Notwithstanding any other provision of this Code to the contrary, each election authority shall establish procedures for the registration of voters and for change of address during the period from the close of registration for an election until and including the day of the election. During this grace period, an unregistered qualified elector may register to vote, and a registered voter may submit a change of address form, in person in the office of the election authority, at a permanent polling place established under Section 19A-10, at any other early voting site beginning 15 days prior to the election, at a polling place on election day, or at a voter registration location specifically designated for this purpose by the election authority.

Grace period registration was first implemented in 2010:

https://www.elections.il.gov/Downloads/AboutTheBoard/PDF/10_06_10PressRelease.pdf

<http://www.chicagotribune.com/news/ct-illinois-voting-changes-20141031-story.html>

Registration deadlines and early voting periods varied in 2014; same day registration was available for the general election but not the primary

Illinois does not have party registration and any voter may participate in a party's primary—they just have to ask for the party's ballot. But they are supposed to announce their request in a loud voice, and their qualifications may be challenged by pollwatchers.

Link to state code:

<http://www.ilga.gov/legislation/ilcs/ilcs3.asp?ActID=170&ChapterID=3>

(10 ILCS 5/7-44) (from Ch. 46, par. 7-44)

Sec. 7-44. Any person desiring to vote at a primary shall state his name, residence and party affiliation to the primary judges, one of whom shall thereupon announce the same in a distinct tone of voice, sufficiently loud to be heard by all persons in the polling place. When article 4, 5 or 6 is

applicable the Certificate of Registered Voter therein prescribed shall be made and signed and the official poll record shall be made. If the person desiring to vote is not challenged, one of the primary judges shall give to him one, and only one, primary ballot of the political party with which he declares himself affiliated, on the back of which such primary judge shall endorse his initials in such manner that they may be seen when the primary ballot is properly folded. If the person desiring to vote is challenged he shall not receive a primary ballot from the primary judges until he shall have established his right to vote as hereinafter provided. No person who refuses to state his party affiliation shall be allowed to vote at a primary.

(10 ILCS 5/7-45) (from Ch. 46, par. 7-45)

Sec. 7-45. Whenever a person offering to vote at a primary is challenged, and is not personally known to the judges of election to have the qualifications required in this Article to vote, the person so challenged shall make and subscribe an affidavit in the following form, which shall be presented to and retained by the primary judges and returned by them affixed to the primary poll book or with the official poll record:

State of Illinois)

)ss.

County of)

I,, do solemnly swear (or affirm) that I am a citizen of the United States, of the age of 18 years or over, and am qualified to vote under and by virtue of the Constitution and laws of the State of Illinois, and am a legally qualified voter of the precinct; that I now reside at(insert street and number, if any) in this precinct, and am a member of and affiliated with the party; that I have not voted at a primary of another political party within a period of 23 calendar months prior to the calendar month in which this primary is being held; and that I voted at the city, village, incorporated town, or town primary, with the political party at the election held in, which the political party was entitled at such primary to make nominations of candidates for city, village, incorporated town or town offices only, and for no other offices, and that the name or names of no candidate or candidates of the political party (the political party with which the primary elector declares himself affiliated) were, at such city, village, incorporated town or town primary, printed on the primary ballot; that I have not signed the petition for nomination of a candidate of a political party with which I am not affiliated, and that I have not signed the nominating papers of an independent candidate for any office for which office candidates for nomination are voted for at this primary.

(10 ILCS 5/7-34) (from Ch. 46, par. 7-34)

Pollwatchers shall be permitted to observe all proceedings and view all reasonably requested records relating to the conduct of the election, provided the secrecy of the ballot is not impinged, and to station themselves in a position in the voting room as will enable them to observe the judges making the signature comparison between the voter application and the voter registration record card; provided, however, that such pollwatchers shall not be permitted to station themselves in such close proximity to the judges of election so as to interfere with the orderly conduct of the election and shall not, in any event, be permitted to handle election materials. Pollwatchers may challenge for cause the voting qualifications of a person offering to vote and may call to the attention of the judges of election any incorrect procedure or apparent violations of this Code.

Early voting period:

(10 ILCS 5/19A-15)

Sec. 19A-15. Period for early voting; hours.

(a) The period for early voting by personal appearance begins the 40th day preceding a general primary, consolidated primary, consolidated, or general election and extends through the end of the day before election day.

Candidate filing and petitions:

(10 ILCS 5/7-10) (from Ch. 46, par. 7-10)

Sec. 7-10. No petition sheet shall be circulated more than 90 days preceding the last day provided in Section 7-12 for the filing of such petition.

(10 ILCS 5/7-12) (from Ch. 46, par. 7-12)

Sec. 7-12. All petitions for nomination shall be filed by mail or in person as follows:

(1) Where the nomination is to be made for a State, congressional, or judicial office, or for any office a nomination for which is made for a territorial division or district which comprises more than one county or is partly in one county and partly in another county or counties, then, except as otherwise provided in this Section, such petition for nomination shall be filed in the principal office of the State Board of Elections not more than 113 and not less than 106 days prior to the date of the primary, but, in the case of petitions for nomination to fill a vacancy by special election in the office of representative in Congress from this State, such petition for nomination shall be filed in the principal office of the State Board of Elections not more than 85 days and not less than 82 days prior to the date of the primary.

Indiana

Dates: <https://www.in.gov/sos/elections/files/2018%20Calendar%20Brochure.pdf>

Early voting:

- All registered voters in Indiana are eligible to vote **absentee-in-person** at the county election board office beginning 28 days before Election Day.
- Early voting generally begins 28 days before any election, and any voter can come to the Clerk's Office to cast their ballot before Election Day. You do not need a reason to vote early, but you must have a valid, photo ID issued by the state of Indiana or federal government ([Indiana Photo ID Laws](#)).
- When you arrive at an early voting location, you will be asked to complete an application to vote absentee. (Any person casting a vote before Election Day is considered an absentee voter under Indiana law since your ballot won't be counted until Election Day.) After you present your ID and your application is approved, you will be handed a ballot to complete on site. You then seal your ballot in a security envelope and it is safely stored until it's counted on Election Day.

Indiana state code: <http://iga.in.gov/legislative/laws/2018/ic/titles/001>

Primary voters:

IC 3-10-1-6 Eligible voters

Sec. 6. A voter may vote at a primary election:

- (1) if the voter, at the last general election, voted for a majority of the regular nominees of the political party holding the primary election; or
- (2) if the voter did not vote at the last general election, but intends to vote at the next general election for a majority of the regular nominees of the political party holding the primary election;

as long as the voter was registered as a voter at the last general election or has registered since then.

[Pre-1986 Recodification Citation: 3-1-9-3 part.]

As added by P.L.5-1986, SEC.6.

Voters' qualifications may be challenged:

IC 3-10-1-9 Challenging voter

Sec. 9. A voter in a precinct may challenge a voter or person who offers to vote at a primary election. The challenged person may not vote unless the challenged person:

- (1) is registered;
- (2) makes:
 - (A) an oral or a written affirmation under [IC 3-10-12](#); or
 - (B) an affidavit:
 - (i) that the challenged person is a voter of the precinct; or
 - (ii) required under [IC 3-10-11](#) if the voter declares that the voter is entitled to vote under [IC 3-10-11](#); and
- (3) either:

- (A) at the last general election voted for a majority of the regular nominees of the political party for whose candidates the challenged person proposes to vote in the primary election and intends to vote for the regular nominees of the political party at the next general election; or
- (B) if the challenged person did not vote at the last general election, intends to vote at the next general election for a majority of the regular nominees of the political party holding the primary election.

[Pre-1986 Recodification Citation: 3-1-9-3 part.]

As added by P.L.5-1986, SEC.6. Amended by P.L.17-1993, SEC.9; P.L.12-1995, SEC.62.

IC 3-10-1-10 Persons entitled to challenge voter

Sec. 10. Only a voter who is a member of the political party for whose candidates a person is offering to vote at a primary election may challenge the person on the ground of party affiliation.

[Pre-1986 Recodification Citation: 3-1-9-3 part.]

As added by P.L.5-1986, SEC.6.

No election day voter registration; the deadline is 29 days prior to the election:

IC 3-7-13-10 Times for voter registration; exceptions for absent uniformed services voters and overseas voters

Sec. 10. (a) After a general or municipal election is conducted, the registration period resumes on the following December 1 (or the first Monday in December if December 1 falls on a Saturday or Sunday). (b) Except as provided in IC 3-7-36 for absent uniformed services voters and overseas voters, the registration period continues through the twenty-ninth day before the date a primary election is scheduled under this title. (c) Except as provided in IC 3-7-36 for absent uniformed services voters and overseas voters, the registration period resumes fourteen(14) days after primary election day and continues through the twenty-ninth day before the date a general or municipal election is scheduled under this article.

Candidate filing deadlines:

IC 3-8-2-4 Time for filing and execution of declaration of candidacy; declaration of intent to be a write-in candidate

Sec. 4. (a) A declaration of candidacy for a primary election must be filed not later than noon eighty-eight (88) days and not earlier than one hundred eighteen (118) days before the primary election. The declaration must be subscribed and sworn to before a person authorized to administer oaths.

IC 3-8-2-8 Declaration of candidacy for U.S. Senator or governor; petitions required; requirements for a signature; petitioner with a disability; affidavit of assistance

Sec. 8. (a) A declaration of candidacy for the office of United States Senator or for the office of governor must be accompanied by a petition signed by at least four thousand five hundred (4,500) voters of the state, including at least five hundred (500) voters from each congressional district.

IC 3-8-2-10 Submission of petition to county voter registration office; return of petition

Sec. 10. (a) A petition required by section 8 of this chapter must be submitted to the county voter registration office during the period beginning on the first date that a declaration of candidacy may be filed under section 4 of this chapter in the year in which the primary election will be held and ending at noon ninety-one (91) days before the primary election.

In-person early (absentee) voting:

IC 3-11-10-26 Voting at circuit court clerk's office, satellite office; time, place, and procedure for voting; absentee uniformed services voters; proof of identification

(f) The voter may vote before the board not more than twenty-eight (28) days nor later than noon on the day before election day. If the close of a voter registration period is transferred under [IC 3-5-4-1.5](#) from twenty-nine (29) days to a later date due to the Columbus Day holiday, the voter may vote before the board on the first day following the day on which the voter registration period closes.

Iowa

2018 dates and filing information:

<https://sos.iowa.gov/elections/electioninfo/primary/index.html>

Iowa has early in-person voting and election day voter registration

The state adopted EDR in 2007

48A.7A Election day and in-person absentee registration. 1. a. A person who is eligible to register to vote and to vote may register on election day by appearing in person at the polling place for the precinct in which the individual resides and completing a voter registration application, making written oath, and providing proof of identity and residence.

53.10 Absentee voting at the commissioner's office. 1. Not more than twenty-nine days before the date of the primary election or the general election, the commissioner shall provide facilities for absentee voting in person at the commissioner's office. This service shall also be provided for other elections as soon as the ballots are ready, but in no case shall absentee ballots be available under this section more than twenty-nine days before an election.

Prior to 2018, the state's early-voting period was 40 days:

<https://www.thegazette.com/subject/news/government/shorter-early-voting-period-kicks-off-in-iowa-20180507>

Iowa's primary is closed in some sense because only affiliated voters are allowed to vote in a party's primary, but any voter (not just unaffiliated ones) can change his or her party affiliation on election day. I code it as semi-open because it requires changing affiliation.

State code:

<https://www.legis.iowa.gov/law/iowaCode/sections?codeChapter=43&year=2018>

43.38 Voter confined to party ticket. The elector shall be allowed to vote for candidates for nomination on the ballot of the party with which the elector is registered as affiliated, and shall receive no other ballot. The voter shall mark and return the ballot in the manner provided in section 49.84. [S13, §1087-a6; C24, 27, 31, 35, 39, §566; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §43.38] 2010 Acts, ch 1033, §3, 56

43.42 Change or declaration of party affiliation at polls. Any registered voter may change or declare a party affiliation at the polls on election day and shall be entitled to vote at any primary election. Each voter doing so shall indicate the voter's change or declaration of party affiliation on the voter's declaration of eligibility affidavit. Each change or declaration of a registered voter's party affiliation so received shall be reported by the precinct election officials to the

county commissioner of registration who shall enter a notation of the change on the registration records. [S13, §1087-a8, -a9; C24, 27, 31, 35, 39, §570, 572; C46, 50, 54, 58, 62, 66, 71, 73, §43.42; C75, §43.42, 43.44; C77, 79, 81, §43.42] 91 Acts, ch 129, §4; 92 Acts, ch 1163, §12; 94 Acts, ch 1169, §64

Candidate filing (nomination papers include petitions):

43.11 Filing of nomination papers. Nomination papers in behalf of a candidate shall be filed: 1. For an elective county office, in the office of the county commissioner not earlier than ninety-two days nor later than 5:00 p.m. on the sixty-ninth day before the day fixed for holding the primary election. 2. For United States senator, for an elective state office, for representative in Congress, and for member of the general assembly, in the office of the state commissioner **not earlier than ninety-nine days nor later than 5:00 p.m. on the eighty-first day before the day fixed for holding the primary election.**

Kansas

In general, Kansas' primary is closed: voters must be affiliated with a party in order to participate in its primary. Currently, voters who are affiliated with a party but wish to change their affiliation must do so before the candidate filing deadline (June 1, or the first business day after June 1). This requirement was also in effect in 2016. In 2014, according to the Office of the Kansas Secretary of State's Election Calendar, the deadline for a voter to change party affiliation was June 30. In 2012 and 2010, the change-of-party-affiliation deadline was the same as the voter registration deadline.

http://www.kssos.org/forms/elections/A_Guide_to_Candidate_Petition_Circulation.pdf

State code: http://www.ksrevisor.org/statutes/ksa_ch25.html

25-3301. Eligibility to vote, partisan primaries; party affiliation list for voting areas and advance voting ballot, application; declaration of affiliation at polls; receipt only of ballot of voter's party; preservation of affiliation statements. (a) Each registered voter of this state who has declared a party affiliation as provided in this section or in K.S.A. [25-3304](#), and amendments thereto, shall be entitled to vote at every partisan primary election.

(c) The party affiliation list provided for by subsection (b) shall be used to determine the party affiliation of a voter offering to vote at a partisan primary election and of a voter applying for an advance voting ballot pursuant to K.S.A. [25-1122](#), and amendments thereto. If a voter's party affiliation is not indicated on the party affiliation list, such voter shall state the voter's party affiliation in writing on a form prescribed by the secretary of state. A judge at the precinct polling place, or the county election officer or such officer's designee, shall give such voter a primary ballot of the voter's party affiliation, and such person thereupon shall be entitled to vote. Such a statement of party affiliation shall constitute a declaration of party affiliation, and all such signed statements shall be returned to the county election officer, who shall cause them to be recorded on the party affiliation list.

History: L. 1927, ch. 203, § 1; L. 1941, ch. 227, § 1; L. 1968, ch. 406, § 84; L. 1972, ch. 144, § 2; L. 1974, ch. 106, § 6; L. 1978, ch. 144, § 1; L. 1997, ch. 124, § 7; L. 2014, ch. 2, § 2; July 1.

An unaffiliated voter can affiliate on election day, but they become affiliated formally with that party (they give up their unaffiliated status and would have to file the necessary paperwork to change it back)

25-3304. Declaration of party or voter affiliation; change of affiliation. (a) Any person who has declared such person's party or voter affiliation in the manner provided by law shall be listed on a voter affiliation list as a member of a registered political organization, or on a party affiliation list if a member of a recognized political party, unless the person's name is purged or removed therefrom as provided by K.S.A. [25-3303](#), and amendments thereto, or unless the person changes party or voter affiliation as provided in this section.

(b) Any person, who, having declared a party or voter affiliation, desires to change the same, may file a written declaration with the county election officer, stating the change of party or voter affiliation. Such declaration cannot be filed during the time from the candidate filing deadline, as prescribed in K.S.A. 25-205, 25-305 and 25-4004, and amendments thereto, through the time when the primary election results are certified by the secretary of state. The county election officer shall enter a record of such change on the party or voter affiliation list of such preceding primary election in the proper column opposite the voter's name.

History: L. 1927, ch. 203, § 3; L. 1968, ch. 406, § 86; L. 1972, ch. 145, § 2; L. 1988, ch. 119, § 4; L. 1991, ch. 102, § 2; L. 2014, ch. 2, § 1; July 1.

Party choice? (see discussion in Sinclair 2013) I can't find evidence for this in the statutes, but it seems the parties can vote to change the rules of their primaries: <https://www.kansascity.com/news/local/article315150/Kansas-Democrats-vote-to-close-primaries.html>

Maybe the law just doesn't explicitly allow (or prohibit) these changes. I code the state as "not party choice," but it could easily be coded the other way.

Candidate filing:

25-205. Names of candidates printed on primary election ballots; nomination petitions, form and requirements; declarations of intent with fee; deadline for filing nomination petitions and declarations of intention to become candidate; candidates for municipal office; procedures. (a) Except as otherwise provided in this section, the names of candidates for national, state, county and township offices shall be printed upon the official primary ballot when each shall have qualified to become a candidate by one of the following methods and none other: (1) They shall have had filed in their behalf, not later than 12 noon, June 1, prior to such primary election, or if such date falls on Saturday, Sunday or a holiday, then before 12 noon of the next following day that is not a Saturday, Sunday or a holiday, nomination petitions, as provided for in this act; or (2) they shall have filed not later than the time for filing nomination petitions, as above provided, with the proper officer a declaration of intention to become a candidate, accompanied by the fee required by law.

Filing by Fee: Only Democratic and Republican primary candidates may file by fee. The filing fee is either a set amount or based on a percentage of the salary of the office the candidate is seeking. [KSA 25-206]

In 2010, the candidate filing deadline was June 10, and the voter registration deadline was 15 days before the election, not 21.

Provides in-person early voting ("advance voting") but not election day voter registration (deadline is 21 days before the election):

25-1123. Advance voting; transmission of ballots; duties of election officer.

All ballots shall be transmitted to the advance voting voter not more than 20 days before the election but within two business days of the receipt of such voter's application by the election officer or the

commencement of such 20-day period. In primary elections required to be conducted on a partisan basis, the election officer shall deliver to such voter the ballot of the political party of the applicant.

25-2311. Opening and closing of registration; when required; certification of number of registered voters in precincts to secretary of state. (a) County election officers shall provide for the registration of voters at one or more places on all days except the following:

- (3) the 20 days preceding the day of primary and general elections;

Kentucky

2018 dates:

<https://elect.ky.gov/calendar/Documents/2018%20Election%20Calendar.pdf>

Kentucky holds off-year elections for governor. These elections are held every 4 years, in the year before a presidential election (e.g., 2015, 2011, etc.).

Kentucky law does not provide for no-excuse absentee voting or early voting. If eligible for absentee voting, voters may mail in or cast their ballots at the county clerk's office prior to election day. Also, there is no election day voter registration.

116.045 Voter registration, transfer, or change of party affiliation -- Availability of forms.
(2) The county clerk shall cause all registration to be closed the fourth Tuesday preceding through the first Monday following any primary or general election, and the twenty-eight (28) days prior to and seven (7) days following any special election. If the last day of registration falls on a state or federal holiday, the period runs until the end of the next day which is not a Saturday or Sunday nor a state or federal holiday. During the period that registration is closed, the county clerk may accept and process registrations. Any voter who registers during the period that registration is closed, except for any registered voter who transfers his or her registration pursuant to KRS 116.085(2) or (3), shall not be permitted to vote in the upcoming election.

Kentucky statutes: <http://www.lrc.ky.gov/statutes/>

Completely closed primary; voters must be registered with the party in advance of the election (cannot do so at the polls). The Dec. 31 deadline is for already-registered voters; there is an exception for new voters, who may choose a party when they register:

116.055 Qualifications for voting in primary election. Before a person shall be qualified to vote in a primary election, he shall possess all the qualifications required of voters in a regular election. In addition, he shall be a registered member of the party in whose primary election he seeks to vote, and shall have been registered as a member of that party on December 31 immediately preceding the primary election, or, in the case of new registrations made after December 31 immediately preceding the primary election, he shall have registered and remained registered as a member of that party. No person shall be allowed to vote for any party candidates or slates of candidates other than that of the party of which he is a registered member. The qualifications shall be determined as of the date of the primary, without regard to the qualifications or disqualifications as they may exist at the succeeding regular election, except that minors seventeen (17) years of age who will become eighteen (18) years of age on or before the day of the regular election shall be entitled to vote in the primary if otherwise qualified. However, any registered voter, whether registered as a member of a party, political organization, political group, or as an independent, shall be qualified to vote in primary elections for candidates listed in all nonpartisan races. Effective: July 15, 2010 History: Amended 2010 Ky. Acts ch. 176, sec. 1, effective July 15, 2010. -- Amended 2008 Ky. Acts ch. 129, sec. 2, effective July 15, 2008. -- Amended 1998 Ky. Acts ch. 243, sec. 1, effective April 1, 1998. -- Amended

1992 Ky. Acts ch. 288, sec. 34, effective July 14, 1992. -- Amended 1990 Ky. Acts ch. 48, sec. 5, effective July 13, 1990. -- Amended 1988 Ky. Acts ch. 341, sec. 22, effective July 15, 1988. -- Amended 1976 Ky. Acts ch. 54, sec. 20, effective March 10, 1976. -- Created 1974 Ky. Acts ch. 130, sec. 5, effective June 21, 1974.

Candidate filing:

118.165 Filing of nomination papers -- Certification -- Ineligibility of Senior Status Special Judge. (1) Except as provided in KRS Chapters 116 to 121, candidates for offices to be voted for by the electors of one (1) county or of a district less than one (1) county, except members of Congress and members of the General Assembly, shall file their nomination papers with the county clerk of the county not earlier than the first Wednesday after the first Monday in November of the year preceding the year the office will appear on the ballot and not later than the last Tuesday in January preceding the day fixed by law for holding the primary. Candidates for offices to be voted for by the electors of more than one (1) county, and for members of Congress and members of the General Assembly, shall file their nomination papers with the Secretary of State not earlier than the first Wednesday after the first Monday in November of the year preceding the year the office will appear on the ballot and **not later than the last Tuesday in January preceding the day fixed by law for holding the primary.** Signatures for nomination papers shall not be affixed on the document to be filed prior to the first Wednesday after the first Monday in November of the year preceding the year in which the office will appear on the ballot. All nomination papers shall be filed no later than 4 p.m. local time at the place of filing when filed on the last date on which the papers may be filed.

Louisiana

Prior to the Supreme Court's decision in *Foster v. Love* (1997), Louisiana held a nonpartisan primary in which all candidates would run and if one received more than 50 percent of the vote, then the general election would not occur (the election would end with the primary). The court held that this system violated the federal government's authority to set the date of federal elections (<https://www.oyez.org/cases/1997/96-670>). So LA had to shift the primary to the date of the general election, and if no candidate wins a majority in the primary, the top two candidates participate in a runoff (held in December) after the "primary/general" election.

Louisiana holds off-year elections for governor, state house of representatives, and state senate. These elections are held every 4 years, in the year before a presidential election (e.g., 2015, 2011, etc.). State house members and state senators all serve 4-year terms.

From

<https://www.sos.la.gov/ElectionsAndVoting/GetElectionInformation/HowAreCandidatesElected/Pages/default.aspx> :

State, Local, and Congressional Primary Elections are Majority Vote Elections

All statewide and local candidates in Louisiana are elected by majority vote. A majority vote is one more than 50% of the total votes cast for that office. When one candidate is to be elected, a candidate who receives a majority of the votes cast for an office in a primary election is elected. If no candidate receives a majority, the top two candidates who receive the most votes advance to the general election.

State, Local, and Congressional General Elections are Plurality Vote Elections

Candidates who qualify for each office remaining to be filled in a general election are those who received the two highest votes, four highest votes, etc... until the maximum number of candidates for each office is reached, except in the case of a tie vote.

The candidate who receives the most votes cast for an office in a general election is elected. If two or more offices are to be filled, those candidates receiving the highest total of votes are elected to the number of offices to be filled. If there is a tie vote among more candidates than offices to be filled, all candidates who received the highest number of tie votes advance to another election to be held on the 3rd Saturday after the promulgation of the election results.

Any votes received by a unopposed, disqualified, or deceased candidate shall be void and not counted for any purpose whatsoever.

2018 dates:

<https://www.sos.la.gov/ElectionsAndVoting/PublishedDocuments/ElectionsCalendar2018.pdf>

2008 and 2010 dates (the rules for congressional elections changed to include runoff primaries; state elections unaffected):

<https://www.sos.la.gov/ElectionsAndVoting/PublishedDocuments/ElectionsCalendar2008.pdf>

<https://www.sos.la.gov/ElectionsAndVoting/PublishedDocuments/ElectionsCalendar2010.pdf>

From 2006 (specifically, a special congressional election in 2006) to 2010, Louisiana did not use the jungle primary for **federal** races:

https://www.theadvocate.com/gambit/new_orleans/news/article_f6cd2a06-396a-5b91-ac24-edf81782c176.html

Candidates qualify by paying a filing fee OR gathering petition signatures

§467. Opening of qualifying period

The qualifying period for candidates in a primary election shall open:

(1) For candidates in a gubernatorial primary election and those in any special primary election to be held at the same time, on the first Tuesday after the first Monday in August of the year of the election.

(2) For candidates in a congressional primary election and those in any special primary election to be held at the same time, on the third Wednesday in July of the year of the election.

§468. Close of the qualifying period

A. The qualifying period for candidates in a primary election shall close at 4:30 p.m. on the Friday after the opening of the qualifying period for candidates in the primary election or, if that Friday is a legal holiday, at 4:30 p.m. on the next day which is not a legal holiday.

B. Notwithstanding the provisions of Subsection A of this Section, the qualifying period for candidates in a gubernatorial primary election and those in any special primary election to be held at the same time shall close at 4:30 p.m. on the Thursday after the opening of the qualifying period.

Both parties' presidential primaries are closed.

The state has partisan registration, so this information is not exactly private, but voters do make a private choice of which party's candidates to vote for at the polls, so I code it as private instead of public choice

State code: http://legis.la.gov/Legis/Laws_Toc.aspx?folder=75&level=Parent

§1280.21. Presidential preference primary election

A. A statewide presidential preference primary election shall be held on the first Saturday in March in 2016 and every fourth year thereafter for the purpose of allowing the

electors of each political party in the state which has forty thousand or more registered members to express their preference for a person to be the nominee of the party for president of the United States.

B. Each elector voting in such election may vote only for a candidate who is affiliated with the same party as the elector, except that the state central committee of a recognized political party may allow in its bylaws, electors who are not affiliated with any political party to cast a vote on the ballot of such recognized political party.

C. The state central committee shall notify the Department of State that its bylaws allow for such voting by non-affiliated electors no later than seven days prior to the opening of qualifying for the presidential preference primary. Such notification shall be considered valid and effective for subsequent presidential preference primaries unless the state central committee notifies the Department of State that its bylaws no longer allow for such voting by non-affiliated electors no later than seven days prior to the opening of qualifying for a presidential preference primary.

D. Any elector who is not affiliated with any political party and who is allowed to cast his vote on the ballot of a recognized political party in the presidential preference primary pursuant to this Section shall cast his vote on the ballot of only one recognized political party.

In 2012, the Republicans held a closed presidential primary (only registered Republicans could vote), while the Democrats' presidential primary was open to registered Democrats and voters not affiliated with any party.

<https://www.scribd.com/document/77084438/LDP-Delegate-Selection-Plan>

§401. Purpose and nature of primary and general elections

A. Purpose. Primary and general elections are held to elect persons to Congress and to all the elective offices in this state, except the office of presidential elector.

B. Nature. All qualified voters of this state may vote on candidates for public office in primary and general elections without regard to the voter's party affiliation or lack of it, and all candidates for public office who qualify for a primary or general election may be voted on without regard to the candidate's party affiliation or lack of it.

Acts 1976, No. 697, §1, eff. Jan. 1, 1978; Acts 2006, No. 560, §1, eff. Jan. 1, 2007; Acts 2010, No. 570, §1, eff. Jan. 1, 2011.

511. Election of candidates in a primary election

A. Majority vote. A candidate who receives a majority of the votes cast for an office in a primary election is elected. If there are two or more offices of the same character to be filled, the number of votes necessary to constitute a majority shall be greater than the result obtained by dividing the total votes cast for all of the candidates by the number of offices to be filled and dividing the result so obtained by two. If more candidates receive a majority than there are offices to be filled, those of such candidates receiving the highest total of votes shall be elected, to the number required to fill all of the offices. Any votes received by a withdrawn candidate or a deceased candidate shall be void and shall not be counted for any purpose whatsoever.

B. Election of unopposed candidates for public office. If, after the close of the qualifying period for candidates in a primary election, the number of candidates for a public office does not exceed the number of persons to be elected to the office, the candidates for that office, or those remaining after the withdrawal of one or more candidates, are declared elected by

the people, and their names shall not appear on the ballot in either the primary or the general election.

Voter registration deadline is 30 days before the election:

§135. Close of registration

A. (1) Registrars shall close the registration records thirty days prior to an election. However, if the deadline falls on a legal holiday, the registrars shall close the registration records on the first day after such holiday which is not a Saturday, Sunday, or other legal holiday.

Early voting period:

§1309. Early voting; verification

A.(1)(a)(i) The period for conducting early voting shall be from fourteen days to seven days prior to any scheduled election.

(ii) The period for conducting early voting shall also include the day added pursuant to Subparagraph (b) of this Paragraph, if applicable.

(b)(i) One day of early voting shall be added to the period specified in Item (a)(i) of this Paragraph if one or more holidays is required to be observed on a weekday during that period pursuant to Paragraph (4) of this Subsection.

(ii) The additional day shall be the first day preceding the period described in Item (a)(i) of this Paragraph that is not a Sunday or a holiday required to be observed pursuant to Paragraph (4) of this Subsection.

Maine

Nominating petitions:

<https://www.maine.gov/sos/cec/elec/candidate/pdfs/2018cguide.pdf>

Voter registration: Voters may register in-person on election day. To register by mail or through a voter registration drive, the deadline is the 21st day before the election (for the 2018 primary election, the deadline is 5/22/18).

§121-A. Deadline for registration

The deadline for receipt of voter registration applications submitted by mail or by a 3rd person is the close of business on the 21st day before election day. The deadline for in-person registration is the close of the polls on election day. [2011, c. 534, §5 (NEW) .]

Brief history: Maine first passed EDR in 1972. In June 2011, the legislature passed a law ending the practice, but the people voted to approve a measure (a veto referendum) repealing this law in the Nov. 2011 general election.

Maine does not have in-person early voting yet.

The 2018 democratic primary used RCV for governor and congressional district 2. The general election will use RCV for federal offices (U.S. Senate and U.S. House).

Republicans didn't use it at all (?)

<https://bangordailynews.com/2018/05/29/politics/maine-gop-must-use-ranked-choice-vote-in-primary-judge-rules/>

Maine is likely to use a presidential primary rather than a caucus in 2020:

<http://frontloading.blogspot.com/2016/04/following-lepage-signature-maine-now.html>

Maine state code: <http://legislature.maine.gov/statutes/21-A/title21-Ach5sec0.html>

Party choice:

§340. Notice of parties of qualified primary voters

1. Notice to Secretary of State. No later than February 1st of the election year, each political party eligible to participate in a primary election shall notify the Secretary of State of the enrollment qualifications, subject to the restrictions in section 144, for voters eligible to vote in that party's primary. If no notice is received by that date, only voters enrolled in a political party may vote in that party's primary.

[1987, c. 423, §3 (NEW) .]

2. Notice to municipal clerks. The Secretary of State shall inform all municipal clerks of the qualifications necessary for voters to participate in each party's primary. The clerks shall

establish procedures to ensure that all qualified primary voters are offered ballots for each party in which primary election the voters are qualified to vote.

[1987, c. 423, §3 (NEW) .]

SECTION HISTORY

1987, c. 423, §3 (NEW) .

Closed primaries are the default. Those already affiliated with a party must change affiliation 15 days before the primary. Unaffiliated voters may enroll on election day.

§111. General qualifications

A person who meets the following requirements may vote in any election in a municipality, including a biennial municipal caucus held pursuant to section 311. [2005, c. 387, §1 (AMD) .]

5. Enrollment. The person must be enrolled in a party in that municipality to vote at that party's caucus, convention or primary election, unless otherwise permitted by the party pursuant to section 340.

[2005, c. 387, §1 (AMD) .]

SECTION HISTORY

1985, c. 161, §6 (NEW). 1987, c. 188, §1 (AMD). 1987, c. 423, §2 (AMD). 2005, c. 387, §1 (AMD) .

Party affiliation:

§142. Enrollment procedure

A voter who had initially chosen not to enroll in a particular party may later enroll in a party by filing an application with the registrar personally, by mail or otherwise, at any time, except that on election day a voter must enroll in person. [1989, c. 313, §3 (AMD) .]

1. Content of application. The application must contain the following information: Name of applicant, date of birth, residence address, voting district, name of party in which enrollment is requested, signature of the applicant and the date of application.

[2005, c. 453, §23 (AMD) .]

2. Party designation. On receipt of the application, the registrar shall enter the party designation of the applicant into the central voter registration system and file the application.

[2005, c. 453, §24 (AMD) .]

3. Length of time in party. Once a voter has enrolled in a party, the voter must remain in that party for 3 months before the voter can file an application for either a withdrawal or a change in enrollment.

§143. Permitted at any election

A voter who is not enrolled in a party may enroll at any election by personally filing the application required by section 142 with the election clerk in charge of the ballots, after which the applicant may vote. If the applicant votes by absentee ballot, the applicant may enroll by filing the enrollment application with the absentee ballot, except that the enrollment application may not be sealed in the absentee ballot envelope. [2001, c. 310, §6 (AMD) .]

§144. Change of enrollment

A voter may change the voter's enrollment after 3 months from the date on which the voter enrolled by filing an application with the registrar personally, by mail or otherwise. When a voter files an application to change enrollment on the day of a primary election, the application is deemed received the following business day. [2017, c. 248, §1 (AMD) .]

1. Content of application. The application must contain the following information: Name of applicant, the date of birth, residence address, name of party in which enrollment is requested, signature of the applicant and the date of application.

[2017, c. 248, §2 (AMD) .]

2. Party designation removed. On receipt of the application, the registrar shall remove the party designation of the applicant from the central voter registration system. The registrar shall indicate in the central voter registration system that the applicant is ineligible to vote at a caucus or primary election for 15 days by designating the party enrollment field with the letter "X." Fifteen days after receiving the application, the registrar shall enroll the applicant in the party requested and enter the new party designation in the party enrollment field.

This subsection does not apply in the case of a voter who changes enrollment under subsection 4.

[2005, c. 453, §27 (AMD) .]

3. Restrictions during change of enrollment. Except as provided in subsection 4, a voter may not vote at a caucus, convention or primary election for 15 days after filing an application to change enrollment. A voter may sign a primary nomination petition during the 15-day period after filing an application to change enrollment, and the voter's signature must be counted as valid, as long as the 15-day period has elapsed by the time the petition is certified pursuant to section 335, subsection 7 and the voter otherwise is qualified to sign a petition for that office. Notwithstanding subsection 4, a voter must file an application to change enrollment prior to January 1st to be eligible to file a petition as a candidate in that election year.

[2013, c. 457, §2 (RPR) .]

[2013, c. 173, §2 (AMD) .]

SECTION HISTORY

1985, c. 161, §6 (NEW). 1993, c. 330, §1 (AMD). 1995, c. 459, §16 (AMD). 1997, c. 436, §31 (AMD). 2001, c. 310, §§7,8 (AMD). 2005, c. 453, §§26,27 (AMD). 2013, c. 131, §8 (AMD). 2013, c. 173, §§1, 2 (AMD). 2013, c. 457, §2 (AMD). 2017, c. 248, §§1, 2 (AMD).

Candidate filing (requires petitions):

§335. Petition requirements

6. When signed. Except as provided in subchapter 7, a petition may not be signed before January 1st of the election year in which it is to be used.

[2015, c. 474, §2 (AMD) .]

8. When filed. Except as provided in subchapter 7, a primary petition must be filed in the office of the Secretary of State before 5 p.m. on March 15th of the election year in which it is to be used.

Maryland

2018 dates: https://elections.maryland.gov/elections/2018/2018_Election_Calendar.pdf

Maryland provides early voting but does not have election-day voter registration

Voters wishing to change their party affiliation must do so 21 days before the primary election: <https://elections.maryland.gov/voting/primary.html>

Parties may decide who is eligible to participate in their primaries; must notify the state board of elections 6 months in advance if they wish to allow unaffiliated voters

Maryland state code:

<http://mgaleg.maryland.gov/webmga/frmStatutes.aspx?pid=statpage&tab=subject5>

Changing party affiliation:

§ 3-303. Change of party affiliation or to or from a decline.

(a) **In general.** -- Notification of a change of party affiliation or a change to or from a decline may be made:

- (1) by information provided on a voter registration application by the same methods provided for registration under Subtitle 2 of this title;
- (2) by written notice, signed by the voter and sent by mail or otherwise delivered to the local board in the county where the voter's current voter registration address is located or to which the voter has moved;
- (3) by making application in person at the office of the local board in the county where the voter's current voter registration address is located or to which the voter has moved;
- (4) by information on a voter authority card or other appropriate form filled out in a polling place; or
- (5) by changing a name or address with the Motor Vehicle Administration.

(b) **Processing changes.** -- Party affiliation changes or changes to or from a decline:

- (1) shall be processed at any time that registration is open; and
- (2) except as provided in subsection (c) of this section, may not be processed when registration is closed.

(c) **Time of request.** -- If a local board receives a request for a party affiliation change after the close of registration, the local board shall make the change and it shall become effective for the next election provided:

- (1) there is sufficient evidence, as determined by the local boards pursuant to regulations adopted by the State Board, that the request was mailed on or before the close of registration for that election; or
- (2) the request was submitted by the voter to the Motor Vehicle Administration, a voter registration agency, another local board, or the State Board on or before the close of registration for that election.

Party choice:

§ 8-202. Political parties using the primary

(a) **In general.** -- A principal political party, as determined by the statement of registration issued by the State Board:

- (1) shall use the primary election to:
 - (i) nominate its candidates for public office; and
 - (ii) elect all members of the local central committees of the political party; and
- (2) may use the primary election in the year of a presidential election to elect delegates to a national presidential nominating convention.

(b) Requirements for nominees. -- Except for a nominee for President or Vice President, the name of a nominee of a principal political party may not appear on the ballot in a general election if the individual has not:

(1) been nominated in the primary election; or

(2) been designated to fill a vacancy in nomination in accordance with Title 5 of this article.

(c) Process to allow voting by persons unaffiliated with party. -- If a political party chooses to permit voters not affiliated with the party to vote in the party's primary election, the chairman of the party's State central committee shall so notify the State Board at least 6 months before the date of the primary election.

Candidate filing (may file petition in lieu of paying filing fee):

§5-303.

(a) Except as provided in subsections (b) and (c) of this section:

(1) in the year in which the Governor is elected, a certificate of candidacy shall be filed not later than 9 p.m. on the last Tuesday in February in the year in which the primary election will be held; and

(2) for any other regularly scheduled election, a certificate of candidacy shall be filed not later than 9 p.m. on the Wednesday that is 83 days before the day on which the primary election will be held.

Note that gubernatorial election years are 2018, 2014, 2010, etc.

Voter registration deadline (21 days before the election, but you can register in person during the early voting period):

§3-302.

(a) Except as provided under § 3-305 of this subtitle, registration is closed beginning at 9 p.m. on the 21st day preceding an election until the 11th day after that election.

§3-305.

(a) During early voting, an individual may appear in person at an early voting center in the individual's county of residence and apply to register to vote or change the voter's address on an existing voter registration.

Early voting:

§10-301.1.

(d) Each early voting center shall be open for voting as follows:

(1) beginning the second Thursday before a primary or general election through the Thursday before the election; and

(2) during the following hours:

(i) in a presidential general election, during the hours between 8 a.m. and 8 p.m. each early voting day; and

(ii) in all other elections, during the hours between 10 a.m. and 8 p.m. each early voting day.

Massachusetts

2018 dates: <http://www.sec.state.ma.us/ele/elepdf/2018-State-Primary-Calendar-New-Date.pdf>

MA does not have early voting or election-day voter registration.

Massachusetts state code: <https://malegislature.gov/Laws/GeneralLaws/PartI>

Unaffiliated voters may participate in a party's primary, and doing so does not change their affiliation (they remain unaffiliated). Affiliated voters can vote only in their party's primary, and changes in party affiliation must be made 20 days before the primary.

Title VIII, chapter 53

Section 37: Party enrollment of voters

Section 37. The voting lists used at primaries shall contain the party enrollment of the voters whose names appear thereon established as provided in this section, in section thirty-eight, and in section forty-four of chapter fifty-one. Except as provided by section thirty-seven A, a voter desiring to vote in a primary shall give his name, and, if requested, his residence, to one of the ballot clerks, who shall distinctly announce the same, and, if the party enrolment of such voter is shown on the voting list, the name of the party in which he is enrolled. If the party enrollment of the voter is not shown on the voting list the ballot clerk shall ask such voter in which political party's primary he desires to vote, and the ballot clerk, upon reply, shall distinctly announce the name of such political party, and shall record the voter's selection upon the voting list. The ballot clerk shall then give the voter the ballot of the political party so requested. If the voter was unenrolled before selecting a party ballot, he shall continue to be unenrolled and shall be recorded as unenrolled in the current annual register of voters.

After marking his ballot the voter shall give his name, and, if requested, his residence, to the officer in charge of the voting list at the ballot box, who shall distinctly announce the same. If the party enrolment of the voter is shown on the voting list he shall also make announcement of such enrolment and the officer in charge of the ballot box shall, before the voter's ballot is deposited, ascertain that it is of the political party in which such voter is enrolled. If the enrolment of the voter is not shown on such voting list, the officer in charge of the ballot box shall announce the political party whose ballot the voter is about to deposit, and the officer in charge of the voting list shall repeat the same distinctly and record the same upon such voting list.

Chapter 53: Section 38. Party designation of voters and eligibility to vote under party enrollments; certificate to establish, change or cancel enrollment

[Text of section as amended by 2014, 111, Sec. 9 effective August 1, 2015. See 2014, 111, Sec. 24. For text effective until August 1, 2015, see above.]

Section 38. No voter enrolled under this section or section thirty-seven shall be allowed to receive the ballot of any political party except that in which he is so enrolled; provided, however, that, except as otherwise provided in said section thirty-seven, a voter may, except within a period beginning at eight o'clock in the evening of the twentieth day prior to any primary and ending with the day of such

primary, establish, change or cancel his enrollment by forwarding to the board of registrars of voters a certificate signed by such voter under the pains and penalties of perjury, requesting to have his enrollment established with a party or political designation, changed to another party or political designation, or cancelled, or by appearing in person before a member of said board and requesting, in writing, that such enrollment be so established, changed or cancelled. Except as otherwise provided in section twelve of chapter four, sections one and two of chapter fifty-two, and sections forty A and forty-eight of this chapter, such enrollment, change or cancellation shall take effect upon the receipt by said board of such certificate or appearance, as the case may be; provided, however, that no such enrollment, change or cancellation shall take effect for a primary during the twenty days prior to such primary; provided further, that a voter registered in a political designation that is not a political party as defined in section 1 of chapter 50 shall be considered unenrolled for the purpose of the primary and shall be eligible to receive a ballot of a political party of the voter's choosing. No voter enrolled as a member of one political party or political designation shall be allowed to receive the ballot of any other political party, upon a claim by him of erroneous enrolment, except upon a certificate of such error from the registrars, which shall be presented to the presiding officer of the primary and shall be attached to, and considered a part of the voting list and returned and preserved therewith; but the political party or political designation enrolment of a voter shall not preclude him from receiving at a city or town primary the ballot of any municipal party, though in no one primary shall he receive more than one party ballot.

Candidate filing (requires petitions):

Section 7: Nomination papers; signatures; addresses; submission; deadlines; correction procedures; certification and checking; special elections

Every nomination paper of a candidate for a state office shall be submitted to the registrars of the city or town where the signers appear to be voters on or before five o'clock post meridian of the twenty-eighth day preceding the day on which it must be filed with the state secretary; and certification of nomination papers of candidates for state office shall be completed no later than the seventh day before the final day for filing said papers with the state secretary.

Nomination papers are available around mid-February (15 weeks prior to the filing deadline). The deadline to file nomination papers is the first Tuesday in June (for party candidates for federal and statewide offices):

<http://www.sec.state.ma.us/ele/elepdf/Candidates-Guide-generic.pdf>

Voter registration:

Section 26: Registration sessions

Section 26. As used in this section and section forty-two H, "election" shall include every state, city or town primary, preliminary election, election, or town meeting. The registrars, for the purpose of registering voters, shall hold such day and evening sessions as the town, by by-law, or the city, by ordinance, shall prescribe and such other sessions at locations as they deem necessary to allow voters to register and they may for such purposes, use mobile registration units; provided, however, that except as provided in sections thirty-four and fifty, registration for the next election shall take place no later than eight o'clock in the evening on the twentieth day preceding such election and no later than eight o'clock in the evening on the tenth day preceding a special town meeting.

Michigan

2018 dates: https://www.michigan.gov/documents/sos/2018_Dates_600221_7.pdf

Does not have in-person early voting or election-day voter registration

Michigan state code: www.legislature.mi.gov

Open primaries; no party registration; private choice; presidential primaries are also open

168.575 Primary elections; furnishing ballots to electors.

Sec. 575.

After the polls are opened at a primary election, any elector who is legally registered and qualified shall, before entering the booth or voting compartment, be furnished a party ballot, together with any other ballot or ballots to be voted at that primary election.

History: 1954, Act 116, Eff. June 1, 1955

Popular Name: Election Code

168.576 Marking ballot; voting for person not on ballot; effect of voting more than 1 party ticket; section subject to MCL 168.736a.

Sec. 576.

(1) An elector, after having received a ballot or ballots, shall enter a booth or voting compartment and, while there concealed from view, shall vote the ballot or ballots by making a cross or a check mark in the square at the left of the names of those candidates for whom the elector desires to vote, but in no case for more candidates for any office than is indicated under the title of each office. However, an elector may vote for a person whose name is not printed on the ballot by inserting the name in a manner that will substitute it for any name that is printed on the ballot or where no candidate's name appears upon the ballot.

(2) The elector shall indicate his or her choice of candidates on 1 party ticket only and, after marking the ballot, the elector shall fold it for deposit pursuant to the provisions of this act. **A ballot on which more than 1 party ticket has been voted is void.**

(3) This section is subject to section 736a.

History: 1954, Act 116, Eff. June 1, 1955 ;-- Am. 1985, Act 160, Imd. Eff. Nov. 20, 1985 ;-- Am. 1996, Act 213, Imd. Eff. May 28, 1996

Popular Name: Election Code

Candidate filing (requires petition signatures):

168.133 Candidate for representative in congress; nominating petition; signatures; filing; form.

Sec. 133.

In order for the name of a person as a candidate for nomination by a political party for the office of representative in congress to appear under a particular party heading on the official primary ballot in the election precincts of a congressional district, a nominating petition shall have been signed by a number of qualified and registered electors residing in the district as determined under section 544f. Until December 31, 2013, if the congressional district comprises more than 1 county, the nominating petition shall be filed with the secretary of state no later than 4 p.m. of the twelfth Tuesday before the August primary. Beginning January 1, 2014, if the congressional district comprises more than 1 county, the nominating petition shall be filed with the secretary of state no later than 4 p.m. of the fifteenth Tuesday before the August primary. Until December 31, 2013, if the congressional district is within 1 county, the nominating petition shall be filed with the county clerk of that county no later than 4 p.m. of the twelfth Tuesday before the August primary. Beginning January 1, 2014, if the congressional district is within 1 county, the nominating petition shall be filed with the county clerk of that county no later than 4 p.m. of the fifteenth Tuesday before the August primary. Nominating petitions shall be in the form as prescribed in section 544c.

The deadline is the fifteenth Tuesday before the August primary for most offices (governor, U.S. Senator, state house and senate)

Voter registration deadline:

168.497 Application for registration; validity of registrations; execution; filing; notice; exception.

Sec. 497.

(1) A person who is not registered but possesses the qualifications of an elector as set forth in section 492, may apply for registration to the clerk of the county, township, city, or village in which he or she resides on a day other than Saturday, Sunday, a legal holiday, or the day of a regular, primary, school, or special election. Registrations accepted between the thirtieth day preceding an election and the day of the election, unless the thirtieth day falls on a Saturday, Sunday, or legal holiday, in which event registration shall be accepted during the following day, are not valid for the election but are valid for subsequent regular, primary, school, or special elections that are held so that not less than 30 days intervene between the date the person registered and the date of the election.

Minnesota

Detailed calendar of 2018 dates: <https://www.sos.state.mn.us/media/3150/2018-secretary-of-state-elections-calendar.pdf>

Early voting and election-day registration are provided

Open primaries; no partisan voter registration

Minnesota will have a presidential primary instead of caucuses in 2020:
<https://www.sos.state.mn.us/elections-voting/how-elections-work/presidential-primary/>

Minnesota state code: <https://www.revisor.mn.gov/>

204D.08 STATE PRIMARY BALLOTS.

Subdivision 1.Form.

Except as provided in this section, state primary ballots shall be printed in the same manner as state general election ballots as far as practicable. A sufficient number shall be printed for each precinct and ward in the state.

The secretary of state shall adopt rules for the format and preparation of the state primary ballot.

Subd. 2.Blank lines prohibited.

At a primary election, no blank lines shall be provided for writing in the names of individuals whose names do not appear on the primary ballot.

§

Subd. 3.Rotation of names.

On state primary ballots the name of each candidate for nomination to a partisan or nonpartisan office shall be rotated with the names of the other candidates for nomination to that office so that the name of each candidate appears substantially an equal number of times at the top, at the bottom, and at each intermediate place in that group of candidates. If the number of candidates for an office is equal to or less than the number to be elected, no rotation of candidate names is required and the official preparing the ballot shall determine the position of the candidates by lot.

Subd. 4.State partisan primary ballot; party columns.

The state partisan primary ballot shall be headed by the words "State Partisan Primary Ballot." The ballot shall be printed on white paper. There must be at least three vertical columns on the ballot and each major political party shall have a separate column headed by

the words "..... Party," giving the party name. Above the party names, the following statement shall be printed.

"Minnesota Election Law permits you to vote for the candidates of only one political party in a state partisan primary election."

If there are only two major political parties to be listed on the ballot, one party must occupy the left-hand column, the other party must occupy the right-hand column, and the center column must contain the following statement:

"Do not vote for candidates of more than one party."

The names of the candidates seeking the nomination of each major political party shall be listed in that party's column. If only one individual files an affidavit of candidacy seeking the nomination of a major political party for an office, the name of that individual shall be placed on the state partisan primary ballot at the appropriate location in that party's column.

Voter registration:

Registration temporarily closes 20 days before the election, and reopens on election day for voters who register at their polling place. EDR has been available since 1974.
201.061 REGISTRATION ON OR BEFORE ELECTION DAY.

Subd. 3. Election day registration.

(a) An individual who is eligible to vote may register on election day by appearing in person at the polling place for the precinct in which the individual maintains residence, by completing a registration application, making an oath in the form prescribed by the secretary of state and providing proof of residence.

Subd. 4. Registration by election judges; procedures.

Registration at the polling place on election day shall be conducted by the election judges.

Early voting period (MN adopted early voting/no-excuse absentee voting in 2013, for the 2014 elections):

203B.081 LOCATIONS AND METHODS FOR ABSENTEE VOTING IN PERSON.

§

Subdivision 1. Location; timing.

An eligible voter may vote by absentee ballot in the office of the county auditor and at any other polling place designated by the county auditor during the 46 days before the election, except as provided in this section.

Candidate filing (candidates may submit petition signatures in lieu of paying the filing fee):

204B.09 TIME AND PLACE OF FILING AFFIDAVITS AND PETITIONS.

§**Subdivision 1.** Candidates in state and county general elections.

(a) Except as otherwise provided by this subdivision, affidavits of candidacy and nominating petitions for county, state, and federal offices filed at the state general election shall be filed not more than 84 days nor less than 70 days before the state primary. The affidavit may be prepared and signed at any time between 60 days before the filing period opens and the last day of the filing period.

Prior to 2010, the filing deadline used to be 56 days before the primary

Mississippi

2018 dates: <http://www.sos.ms.gov/Elections-Voting/Documents/2018%20Website%20Calendar.pdf>

Mississippi holds off-year elections for governor, state house of representatives, and state senate. These elections are held every 4 years, in the year before a presidential election (e.g., 2015, 2011, etc.). State house members and state senators all serve 4-year terms.

Voters may cast absentee ballots (if eligible; excuse required) in person until 6/2/18 for the primary (11/3/18 for the general election). Otherwise, the state does not provide in-person early voting. It also does not allow voters to register on election day.

Mississippi state code: <http://www.sos.ms.gov/Education-Publications/Pages/Mississippi-Code.aspx>

Open primaries; no partisan voter registration; public choice (voters ask for one party's ballot)

Primary run-off ("second primary")—held 3 weeks after the primary:

§ 23-15-305. Majority vote required for nomination; run-off elections

The candidate who received the majority number of votes cast for the office which he seeks shall thereby become the nominee of his party for such office and no person shall be declared to be the nominee of his party unless and until he has received a majority of the votes cast for such office, except as hereinafter provided. If no candidate received such majority of the votes cast in the first primary, then the two (2) candidates who receive the highest number of votes cast for such office shall have their names submitted as such candidates to the second primary and the candidate who leads in such second primary shall be nominated for the office.

SOURCES: Derived from 1972 Code § 23-3-69 [Codes, 1942, § 3194; Laws, 1935, ch. 19; repealed by Laws, 1986, ch. 495, § 333]; en, Laws, 1986, ch. 495, § 94, eff from and after January 1, 1987.

No crossover voting in the primary runoff (though this is unenforceable):

§ 23-15-575. Who may vote in primary election

No person shall vote or attempt to vote in the primary election of one (1) party when he or she has voted on the same date in the primary election of another party. **No person shall vote or attempt to vote in the second primary election of one (1) party when he or she has voted in the first primary election of another party.** SOURCES: Derived from 1942 Code § 3129 [Codes, 1906, § 3717; Hemingway's 1917, § 6409; 1930, § 5887; Laws, 1932, ch. 238; Laws, 1934, ch. 308; Laws, 1947, 1st Ex. sess. ch. 17, §§ 1-3; Laws, 1948, ch. 309, §§ 1, 2; repealed by Laws, 1970, ch. 506, § 33, and 1986, ch. 495, § 346]; en, Laws, 1986, ch. 495, § 183; Laws, 2017, ch. 441, § 116, eff from and after passage (approved Apr. 18, 2017.)

Voter registration deadline:

§ 23-15-37. Keeping registration books; registration of voters; voter registration in public schools

(1) The registrar shall register the electors of his or her county at any time during regular office hours.

(2) The county registrar may keep his or her office open to register voters from 8:00 a.m. until 7:00 p.m., including the noon hour, for the five (5) business days immediately preceding the thirtieth day before any regularly scheduled primary or general election. The county registrar shall also keep his or her office open from 8:00 a.m. until 12:00 noon on the Saturday immediately preceding the thirtieth day before any regularly scheduled primary or general election, unless that Saturday falls on a legal holiday, in which case registration applications submitted on the Monday immediately following the legal holiday shall be accepted and entered in the Statewide Elections Management System for the purpose of enabling such voters to vote in the next primary or general election.

Candidate filing:

§ 23-15-299. Time for payment of fee; written statement to accompany fee; recordation and disbursement of fee; determination of candidate's qualifications; declaration of nominee in single candidate race

(1) (a) Assessments made pursuant to paragraphs (a), (b) and (c) of Section 23-15-297 shall be paid by each candidate who seeks a nomination in the political party election to the secretary of the state executive committee with which the candidate is affiliated by 5:00 p.m. on March 1 of the year in which the primary election for the office is held or on the date of the qualifying deadline provided by statute for the office, whichever is earlier; however, no such assessments may be paid before January 1 of the year in which the primary election for the office is held. If March 1 or the date of the qualifying deadline provided by statute for the office occurs on a Saturday, Sunday or legal holiday, then the assessments required to be paid by this paragraph (1)(a) shall be paid by 5:00 p.m. on the business day immediately following the Saturday, Sunday or legal holiday.

(3) (a) Assessments made pursuant to paragraphs (f) and (g) of Section 23-15-297 must be paid by each candidate who seeks a nomination in the political party election to the secretary of the state executive committee with which the candidate is affiliated by 5:00 p.m. sixty (60) days before the presidential preference primary in years in which a presidential preference primary is held; however, no such assessments may be paid before January 1 of the year in which the primary election for the office is held. Assessments made pursuant to paragraphs (f) and (g) of Section 23-15-297, in years when a presidential preference primary is not being held, shall be paid by each candidate who seeks a nomination in the political party election to the secretary of the state executive committee with which the candidate is affiliated by 5:00 p.m. on March 1 of the year in which the primary election for the office is held; however, no such assessments may be paid before January 1 of the year in which the primary election for the office is held. If sixty (60) days before the presidential preference primary in years in which a presidential preference primary is held, March 1, or the date of the qualifying deadline provided by statute for the office occurs on a Saturday, Sunday or legal holiday, then the assessments required to be paid by this paragraph (3)(a) shall be paid by 5:00 p.m. on the business day immediately following the Saturday, Sunday or legal holiday.

Missouri

2018 dates: <https://www.sos.mo.gov/elections/calendar/2018cal>

Revised statutes: <http://revisor.mo.gov/main/Home.aspx>

Missouri does not have in-person early voting or election day voter registration

Open primary, no partisan registration, public choice of ballot:

115.395. Ballot for each party at primary — candidates, how listed — ballot information, how shown. — 1. At each primary election, there shall be as many separate ballots as there are parties entitled to participate in the election.

115.397. Voter may receive only one party ballot — voters not wishing a party ballot may vote for independents and on all propositions and questions. — In each primary election, each voter shall be entitled to receive the ballot of one and only one political party, designated by the voter before receiving his ballot. Each voter who participates in a party primary shall be entitled to vote on all questions and for any nonpartisan candidates submitted by political subdivisions and special districts at the primary election. Each voter who does not wish to participate in a party primary may vote on all questions and for any nonpartisan candidates submitted by a political subdivision or special district at the primary election.

Voter registration deadline:

115.135. Persons entitled to register, when — identification required — military service, registration, when. — 1. Any person who is qualified to vote, or who shall become qualified to vote on or before the day of election, shall be entitled to register in the jurisdiction within which he or she resides. In order to vote in any election for which registration is required, a person must be registered to vote in the jurisdiction of his or her residence no later than 5:00 p.m., or the normal closing time of any public building where the registration is being held if such time is later than 5:00 p.m., on the fourth Wednesday prior to the election, unless the voter is an interstate former resident, an intrastate new resident, a new resident, or a covered

voter, as defined in section 115.275. Except as provided in subsection 4 of this section, in no case shall registration for an election extend beyond 10:00 p.m. on the fourth Wednesday prior to the election. Any person registering after such date shall be eligible to vote in subsequent elections.

Candidate filing:

115.349. Time for filing of a declaration of candidacy — form of declaration. — 1. Except as otherwise provided in sections 115.361 to 115.383 or sections 115.755 to 115.785, no candidate's name shall be printed on any official primary ballot unless the candidate has filed a written declaration of candidacy in the office of the appropriate election official by 5:00 p.m. on the last Tuesday in March immediately preceding the primary election.

2. No declaration of candidacy for nomination in a primary election shall be accepted for filing prior to 8:00 a.m. on the last Tuesday in February immediately preceding the primary election.

Missouri held caucuses for presidential nominations until 2000:

<http://www.kbia.org/post/back-future-missouri-gop-return-caucus-system-2012#stream/0>

Montana

2018 dates: <https://sosmt.gov/elections/calendar/>

FAQs: <https://sosmt.gov/elections/faq/>

Open primaries, private choice of ballot:

There is no party registration in Montana. Individuals who vote in a primary election are given all the parties' ballots, and can choose in private which party ballot they wish to vote. Voters in a primary election cannot vote more than one party's ballots.

Election day registration (but it cannot be done at a polling place):

Late registration is an option for people who miss the regular registration deadline. It is available starting the day after the close of regular registration, up until the close of polls on election day, and must be done at the county election office (or at the location designated by the election administrator), not at a polling place.

Late registration is closed from noon to 5 p.m. on the day before the election. Although you can drop off a registration card during this time, you will not receive your ballot unless you return to the election office on Election Day.

Election day registration was adopted in Montana in 2006. In the 2014 election, a ballot initiative to repeal EDR was defeated:

https://www.bozemandailychronicle.com/news/politics/elections/montana-voters-uphold-election-day-registration/article_df293764-64c5-11e4-b71b-1fbb2f15b53e.html

The state legislature passed a bill to repeal it in 2013, but it was vetoed by the governor.

In-person absentee voting = early voting

Montana does not have true early voting, but does have in-person absentee voting that allows electors, as soon as absentee ballots are available, to receive, mark and submit an absentee ballot in person at the election office or by mail to the election office. However, ballots are not counted until election day. Early-in person absentee voting does not require a reason and starts as soon as ballots are available – by not later than 30 days before an election.

Montana state code: https://leg.mt.gov/bills/mca/title_0130/chapters_index.html

13-10-301. Casting of ballot.

(2) At a primary election, the elector shall cast votes on only one of the party ballots, preparing the ballot as provided in **13-13-117**. After casting votes on any other ballots received other than the party ballots, the elector shall ensure the proper disposition of the ballots in accordance with instructions provided pursuant to **13-13-112**.

Parties are not allowed to choose the type of primary. The MT Republican Party bylaws include a provision stating that if the law is changed in the future, the party will use closed primaries: In the event that Montana law is changed to allow for closed primary elections to be held in the State, the following closed Republican Party Primary Rule will immediately go into effect and be controlling: "Only persons who have registered as a Republican prior to the Primary Election will be allowed to vote on a Montana Republican party ballot in that Primary Election." (see <http://mtgop.org/party-bylaws/>)

The MT Democratic Party bylaws currently do not contain a similar provision.

The Republicans were going to hold a presidential primary election in 2012, but they wanted it to be closed—and when they didn't get their way, they chose a caucus: https://missoulian.com/news/state-and-regional/montana-gop-votes-to-ditch-presidential-caucuses/article_3a2a720e-7b05-11df-a161-001cc4c002e0.html

Voter registration deadline (generally 30 days before the election):

13-2-304. Late registration -- late changes. (1) Except as provided in subsection (2), the following provisions apply:

(a) An elector may register or change the elector's voter registration information after the close of regular registration as provided in **13-2-301** and vote in the election if the election administrator in the county where the elector resides receives and verifies the elector's voter registration information prior to the close of the polls on election day.

(b) Late registration is closed from noon to 5 p.m. on the day before the election.

(c) Except as provided in **13-2-514**(2)(a) and subsection (1)(d) of this section, an elector who registers or changes the elector's voter information pursuant to this section may vote in the election only if the elector obtains the ballot from and returns it to the location designated by the county election administrator.

In-person absentee voting (anyone can request an absentee ballot):

13-13-205. When ballots to be available for absentee voting. (1) Except as provided in subsection (2), the election administrator shall ensure that ballots for a polling place election are available as follows:

(a) for an election conducted on a primary or general election day:

(i) 30 days prior to election day for absentee voting in person;

13-13-222. Marking ballot in person before election day. (1) As soon as the official ballots are available for in-person absentee voting under **13-13-205**(1)(a)(i), the election administrator shall permit an elector to apply for, receive, and mark an absentee ballot before election day by appearing in person at the office of the election administrator and marking the ballot in a voting station area designated by the election administrator.

Candidate filing:

13-10-201. Declaration for nomination -- term limitations.

(7) Except as provided in **13-10-211**, a candidate's declaration for nomination must be filed no sooner than 145 days before the election in which the office first appears on the ballot and no later than 5 p.m., 85 days before the date of the primary election.

Nebraska

2018 dates: <http://www.sos.ne.gov/elec/2018/pdf/2018-election-calendar.pdf>

Does have in-person early voting, but not election day voter registration

A party must indicate by March 15 whether unaffiliated voters will be allowed to participate in the partisan primary. If they do, the rule change applies only to that election—for the next election, it reverts to the default (closed). Note that **U.S. House** and **Senate** primaries always allow unaffiliated voters to participate.

Voter information: http://www.sos.ne.gov/elec/voter_info.html

Must I designate a party affiliation?

- No, voters may choose from one of the three statewide parties currently recognized in Nebraska: Democratic, Republican and Libertarian or they may choose to not affiliate with any party by checking the non-partisan box on the application.
- If you wish to vote in the primary election, where parties choose their nominees for state and county offices, you need to declare your party affiliation.
- If you register without a political party affiliation, you will receive only the non-partisan ballots at a primary election.
- Non-partisans may designate a party preference at primary elections and receive partisan ballots for the Senate and House congressional races.
- Party designation has no bearing when voting a non-partisan ballot or in the general election.

Nebraska has a unicameral, nonpartisan state legislature and uses a nonpartisan ballot with all candidates listed for this primary. The top two candidates advance to the general election ballot. There are no voter party affiliation restrictions.

Statewide races (e.g., governor) are partisan and **closed**.

Nebraska state code: <https://nebraskalegislature.gov/laws/browse-chapters.php?chapter=32>

It is a “party-choice” state, but note that (as a consequence of the Tashjian decision) the congressional primaries must be open to unaffiliated voters.

32-912.

Voters; ballots to which entitled; political party rule; effect.

(1) Any registered voter desiring to vote in a primary election held under the Election Act shall be entitled to participate in such primary election upon presenting himself or herself at the polling place for his or her residence. A registered voter who is affiliated with a political party shall receive from the receiving board all nonpartisan ballots and the partisan ballot of the political party indicated on his or

her voter registration. Except as provided in subsections (2) and (3) of this section, a registered voter who is not affiliated with any political party shall receive only nonpartisan ballots at a primary election.

(2) Any political party may allow registered voters who are not affiliated with a political party to vote in the primary election for any elective office for which the party has candidates except for the office of delegate to the party's county, state, or national convention. Any political party desiring to permit such registered voters to vote for candidates of that party in the primary election shall file a letter stating that the governing body of the political party has adopted a rule allowing registered voters who are not affiliated with a political party to vote in the primary election for candidates of that party. The letter and copy of the adopted rule shall be filed with the Secretary of State at least sixty days before the primary election. The Secretary of State shall notify the appropriate election commissioners and county clerks in writing that the political party filing the letter will allow registered voters who are not affiliated with a political party to vote in the primary election for candidates of that party. Once filed, the rule allowing such voters to vote in such primary election shall be irrevocable and shall apply only to the primary election immediately following the adoption of the rule.

(3) A registered voter who is not affiliated with a political party and who desires to vote in the primary election for the office of United States Senator or United States Representative may request a partisan ballot for either or both of such offices from any political party. The election commissioner or county clerk shall post a notice in a conspicuous location, easily visible and readable by voters prior to approaching the receiving board, that a registered voter who is not affiliated with a political party may request such ballots. No such registered voter shall receive more than one such partisan ballot.

32-314.

Loss of eligibility to vote; when; update voter registration record; when; change of residence within county; change of name or party affiliation; effect.

(4) A registered voter who wants to change his or her party affiliation for purposes of a primary election shall complete a registration application pursuant to section [32-312.04](#) and submit it to the election commissioner or county clerk as provided in and prior to the deadline prescribed by section [32-302](#) or [32-321](#).

Candidate filing:

32-606.

Candidate filing form; filing period.

(1) Any candidate may place his or her name on the primary election ballot by filing a candidate filing form prescribed by the Secretary of State as provided in section [32-607](#). If a candidate for an elective office is an incumbent of any elective office, the filing period for filing the candidate filing form shall be between December 1 and February 15 prior to the date of the primary election, except for candidates for election in 2013 to the board of education of a Class V school district. No incumbent who resigns from elective office prior to the expiration of his or her term shall file for any office after February 15 of that election year. Incumbent and nonincumbent candidates for election in 2013 to the board of education of a Class V school district and all other candidates shall file for office between December 1 and March 1 prior to the date of the primary election.

Early voting:

32-942.

Registered voter anticipating absence on election day; right to vote; method; voter present in county; voting place; person registering to vote and requesting a ballot at same time; treatment of ballot.

(1) Except as otherwise provided in subsection (2) of this section, a registered voter of this state who anticipates being absent from the county of his or her residence on the day of any election may appear in person before the election commissioner or county clerk **not more than thirty days prior to the day of election** and obtain his or her ballot. The registered voter shall vote the ballot in the office of the election commissioner or county clerk or shall return the ballot to the office not later than the closing of the polls on the day of the election.

Voter registration deadline:

32-302.

Registration of electors; office hours; deadline for registration; designated voter registration agency.

The office of the election commissioner or county clerk shall remain open during the usual business days of the year for purposes of general registration and revision and for the transaction of the business of the office. Such registration and revision shall be carried on at all times during the regular business hours of the office of the election commissioner or county clerk ending at 6 p.m. on the **second Friday preceding any election**. The election commissioner or county clerk may, during any of the seven days immediately preceding the deadline for registration, cause his or her office to be open at times in addition to the hours during which it is required by law to be open in order for electors to register to vote.

Nevada

2018 dates: <https://www.nvsos.gov/sos/elections/2018-election/2018-calendar-events>

Provides early voting but not election day voter registration

Closed party caucuses for presidential nominations

Nevada state code: <https://www.leg.state.nv.us/NRS/>

Closed primaries; only those registered with the party may vote in its primary. Voters need to update/change their affiliations by the registration deadline.

<https://www.nvsos.gov/sos/elections/voters/registering-to-vote>

Changes to Current Registration

If you've moved, changed your name, **want to change party affiliation**, or otherwise have to update your voter registration status, you must submit another voter application form. To update your current voter registration information visit [RegisterToVoteNV.gov](https://www.nvsos.gov/sos/elections/voters/registering-to-vote).

NRS 293.257 Separate primary ballots; placement of candidates' names; designation on application to register to vote of affiliation with major political party condition for registered voter to cast ballot for party at primary election.

1. There must be a separate primary ballot for each major political party. The names of candidates for partisan offices who have designated a major political party in the declaration of candidacy or acceptance of candidacy must appear on the primary ballot of the major political party designated.
2. The county clerk may choose to place the names of candidates for nonpartisan offices on the ballots for each major political party or on a separate nonpartisan primary ballot, but the arrangement which the county clerk selects must permit all registered voters to vote on them.
3. A registered voter may cast a primary ballot for a major political party at a primary election only if the registered voter designated on his or her application to register to vote an affiliation with that major political party.
(Added to NRS by [1960, 250](#); A [1963, 1388](#); [1965, 652](#); [1967, 847](#); [1971, 442](#); [1977, 243](#); [1979, 264](#); [1989, 227](#); [2011, 3280](#))

NRS 293.287 Announcement of name and political affiliation of registered voter; challenges; nonpartisan ballot at primary election.

1. A registered voter applying to vote at any primary election shall give his or her name and political affiliation, if any, to the election board officer in charge of the roster, and the officer shall immediately announce the name and political affiliation.
2. Any person's right to vote may be challenged by any registered voter upon:
 - (a) Any of the grounds allowed for a challenge in [NRS 293.303](#);
 - (b) The ground that the person applying does not belong to the political party designated upon the roster; or
 - (c) The ground that the roster does not show that the person designated the political party to which he or she claims to belong.
3. Any such challenge must be disposed of in the manner provided by [NRS 293.303](#).
4. A registered voter who has designated on his or her application to register to vote an affiliation with a minor political party may vote a nonpartisan ballot at the primary election.

(Added to NRS by [1960, 253](#); A [1971, 443](#); [1977, 243](#); [1987, 1369](#); [1989, 228](#); [1991, 1681](#); [1995, 2264](#); [2015, 3152](#))

NRS 293.518 Persons must indicate affiliation or nonaffiliation with political party at time of preregistration or registration; circumstances when party listed as “nonpartisan”; duties of county clerk or field registrar of voters.

1. At the time a person preregisters or an elector registers to vote, the person or elector must indicate:
 - (a) A political party affiliation; or
 - (b) That he or she is not affiliated with a political party.
- ↳ A person or an elector who indicates that he or she is “independent” shall be deemed not affiliated with a political party.
2. If a person or an elector indicates that he or she is not affiliated with a political party, or is independent, the county clerk or field registrar of voters shall list the person’s or elector’s political party as nonpartisan.
3. If a person or an elector indicates an affiliation with a major political party or a minor political party that has filed a certificate of existence with the Secretary of State, the county clerk or field registrar of voters shall list the person’s or elector’s political party as indicated by the person or elector.
4. If a person or an elector indicates an affiliation with a minor political party that has not filed a certificate of existence with the Secretary of State, the county clerk or field registrar of voters shall:
 - (a) List the person’s or elector’s political party as the party indicated in the application to preregister or register to vote, as applicable.
 - (b) When compiling data related to preregistration and voter registration for the county, report the person’s or elector’s political party as “other party.”
5. If a person or an elector does not make any of the indications described in subsection 1, the county clerk or field registrar of voters shall:
 - (a) List the person’s or elector’s political party as nonpartisan; and
 - (b) Mail to the person or elector a notice setting forth that the person has been preregistered or the elector has been registered to vote, as applicable, as a nonpartisan because he or she did not make any of the indications described in subsection 1.

(Added to NRS by [1993, 2167](#); A [1995, 680, 2273, 2784](#); [2003, 1654](#); [2017, 3857](#))

Voter registration deadline:

NRS 293.560 Close of registration; office of county clerk to be open certain hours during last days before registration closes; publication of day and time registration closes; offices of county clerk, certain county facilities and ex officio registrars allowed to be open on last Friday of October in even-numbered years; hours of operation for county facility for voter registration.

1. Except as otherwise provided in [NRS 293.502](#), [293D.230](#) and [293D.300](#):
 - (a) For a primary or general election, or a recall or special election that is held on the same day as a primary or general election, the last day to register to vote:
 - (1) By mail is the fourth Tuesday preceding the primary or general election.
 - (2) By appearing in person at the office of the county clerk or, if open, a county facility designated pursuant to [NRS 293.5035](#), is the third Tuesday preceding the primary or general election.
 - (3) By computer, if the county clerk has established a system pursuant to [NRS 293.506](#) for using a computer to register voters, is the Thursday preceding the first day of the period for early voting.

Early voting period:

NRS 293.3568 Period for early voting; days and hours for early voting at permanent polling places.

1. The period for early voting by personal appearance begins the third Saturday preceding a primary or general election and extends through the Friday before election day, Sundays and federal holidays excepted.

Candidate filing:

NRS 293.177 Declaration or acceptance of candidacy: Filing required; fee; filing periods; forms; contents; submission and retention of proof of identity, address and residency; appointment of agent for service of process; investigation and challenge of candidates; unlawful for candidates to make certain false statements.

1. Except as otherwise provided in [NRS 293.165](#) and [293.166](#), a name may not be printed on a ballot to be used at a primary election unless the person named has filed a declaration of candidacy or an acceptance of candidacy, and has paid the fee required by [NRS 293.193](#) not earlier than:

(a) For a candidate for judicial office, the first Monday in January of the year in which the election is to be held and not later than 5 p.m. on the second Friday after the first Monday in January; and

(b) For all other candidates, the first Monday in March of the year in which the election is to be held and not later than 5 p.m. on the second Friday after the first Monday in March.

New Hampshire

2018 dates: <http://sos.nh.gov/2018Electnfo.aspx>

Last day to change your party affiliation prior to State Primary Election Day - June 5, 2018

Last day to register to vote before Primary Election Day - The supervisors of the checklist must be in session for the correction of the checklist at some suitable place in the city or town between 6 to 13 days prior to the election. Please check with your clerk's office for the time and place of the meeting in your town or city.

No early in-person voting; election day voter registration allowed only for new/unregistered voters

FAQs for voting in primary elections: <http://sos.nh.gov/VotePartyPrimFAQ.aspx>

Can I vote in a primary if I am an undeclared voter?

Yes. An undeclared voter may vote in a state primary or a presidential primary. You will be required to choose either a Republican, Democratic or Libertarian ballot when you go to vote.

How do I return to undeclared status after voting in a state primary or presidential primary?

When you vote on a party ballot in a state or presidential primary, you become a registered member of that party **unless you fill out a card to or sign a list to return to undeclared status** with the supervisors of the checklist before leaving the polling place.

How do I change my party affiliation?

You may change your party affiliation with the clerk of the town or city where you are domiciled or at any scheduled meeting of the supervisors of the checklist except for during the period of time between the first day of the filing period for the primary election and/or the presidential primary election and the date of the primary election itself.

New Hampshire state code: <http://www.gencourt.state.nh.us/rsa/html/NHTOC/NHTOC-LXIII.htm>

Semi-closed primary; partisan voter registration; party choice. (Both parties allow unaffiliated voters to participate.) Unaffiliated voters can affiliate with a party on election day; by doing so, voters become registered members of the party unless they fill out a card "undeclaring" themselves before leaving the polling place. Already-affiliated voters who want to change their affiliation must do so by the start of the candidate filing period (roughly 90 days before the primary).

659:14 Voting in Primary Elections. I. A person desiring to vote at a state or presidential primary election shall, at the time of announcing the person's name, also announce the name of the party to which the person belongs or whether the person is registered as an undeclared voter. If the person's party membership has been registered before, the person shall be given only the

ballot of the party with which the person is registered, unless the person desires to vote the ballot of a party not having official existence at the time the person's party membership was previously registered, in which case the person may vote the ballot of such a party in the state primary election immediately following the political organization's official existence as a party, and not in any subsequent state primary election. A person may also vote the ballot of such a party in the presidential primary election only if the presidential primary election precedes the state primary election to be held in that same year. **If the rules of a party permit a person who is registered as an undeclared voter to vote in the party's primary, any person desiring to vote in that party's primary shall also announce the name of that party at the time of announcing the person's name.** No person shall be permitted to vote in any more than one party primary during any primary election.

II. The secretary of state shall include on the voter instruction cards required by RSA 658:28 whether a party rule has been adopted which permits a person who is registered as an undeclared voter to vote in the party's primary. The party chairman shall notify the secretary of state in writing prior to the filing period for state offices whether the party has adopted such a rule. This rule shall not be changed or rescinded by a party until the results of the primary have been announced, and any change or rescission shall be mailed to the secretary of state by the party chairman.

Changing party affiliation:

654:34 Change of Registration. I. Change of registration of a voter whose party membership has been previously registered.

(a) Any legal voter whose party membership has been registered may change such registration by appearing in person before the supervisors of the checklist for his town or ward any time they meet, except as prohibited by paragraph IV, and stating to them under oath or affirmation, if required, that:

(1) He intends to affiliate with and generally supports the candidates of the party with which he offers to register, in which case he shall be registered as a member of such party; or

(2) He does not wish to be registered as a member of any party, in which case his party designation shall be removed from the checklist.

(b) He may also change such registration at any primary, upon making oath or affirmation to the same effect, but he shall not be permitted in such case to vote the ballot of any party at such primary.

II. Change of registration of a voter who has been registered as an undeclared voter.

(a) Any legal voter who has been registered as an undeclared voter may register as a member of the party of the voter's choice by appearing before the supervisors of the checklist for the voter's town or ward any time they meet, except as prohibited by paragraph IV, and stating to them, under oath or affirmation, if required, that the voter intends to affiliate with and generally supports the candidates of the party with which the voter offers to register, in which case the voter shall be registered as a member of such party.

(b) A voter may also register as a member of a party at any primary by requesting to be registered as a member and voting the ballot of the party of the voter's choice. A voter may also register once again as an undeclared voter after voting in a primary as a registered member of a

party by returning the card or signing the list of undeclared voters from the statewide centralized voter registration database provided for in paragraph V. If cards are used, the voter shall return the card to the person at the polls designated by the town or city clerk to accept the card. All such cards and lists shall be in the possession of the supervisors of the checklist at the close of the polls on election day.

III. Notwithstanding any provision of paragraphs I and II to the contrary, no person who has voted in a primary may thereafter on the day of said primary change the person's party registration, unless, prior to voting in the primary, the person was registered as an undeclared voter, in which case the person may once again register as an undeclared voter, as provided in subparagraph II(b).

IV. No person, who is already registered to vote, whether his party membership has been previously registered or not, shall affiliate with a party or disaffiliate from a party between the first Wednesday in June and the day before the state primary election.

V. (a) At any primary, the supervisors of the checklist shall make available within the polling place a card or list of undeclared voters from the statewide centralized voter registration database to enable a voter who was registered as an undeclared voter but who changed registration on the day of the primary in order to vote as a registered member of a party to change registration so that the voter is registered once again as an undeclared voter. The card or list shall be in substantially the following form:

Name _____ (print)

Address _____

I hereby request that my political party registration be changed as follows:

From: Democrat [] or Republican []

To: Undeclared []

Signed under the pains and penalties of perjury. _____

Date _____

(b) The supervisors of the checklist, upon receipt of such a card or list, shall keep it in accordance with RSA 33-A:3-a and at the public session of supervisors of the checklist on election day shall change the party of the voter as indicated on the card or list.

Candidate filing:

655:14 Filing: General Provisions. – The name of any person shall not be printed upon the ballot of any party for a primary unless he or she is a registered member of that party, he or she shall have met the age and domicile qualifications for the office he or she seeks at the time of the general election, he or she meets all the other qualifications at the time of filing, and he or she shall file with the appropriate official between the first Wednesday in June and the Friday of the following week a declaration of candidacy as provided in RSA 655:17.

Source. 1979, 436:1. 1981, 308:7. 1985, 121:1; 129:1. 2011, 150:3, eff. Aug. 7, 2011.

Voter registration (on election day for unregistered voters):

654:7-a Registering at the Polling Place; Election Day Registration. –

I. The provisions of this section and those of RSA 654:7-b shall be used as an additional procedure for voter registration. For the purposes of this section and RSA 654:7-b, the term "election day" shall refer to state primary and to state general elections, to all town, city, school district, and village district elections, and to all official ballot meetings where persons may vote by absentee ballot. A person who registers to vote on election day according to the provisions of this section shall also be required to complete the voter registration form provided for in RSA 654:7, IV(c). The provisions of this section and those of RSA 654:7-b shall apply notwithstanding any provision of RSA 654 to the contrary.

II. Any person whose name is not on the checklist but who is otherwise a qualified voter shall be entitled to vote by requesting to be registered to vote at the polling place on election day. The voter may then vote at that election. The applicant shall be required to produce appropriate proof of qualifications as provided in RSA 654:12.

III. Any person who is waiting to register to vote at the polling place on election day at the time scheduled for the closing of the polls shall be allowed to vote if determined to be qualified to register.

Source. 1994, 154:2. 1995, 187:1. 1997, 49:1. 2000, 34:1. 2003, 289:26, 64, eff. Sept. 1, 2003. 2017, 205:3, eff. Sept. 8, 2017.

New Jersey

2018 dates and deadlines: <http://www.njelections.org/assets/pdf/chrons/2018-chron-primary-election.pdf>

New Jersey holds off-year elections for governor, state assembly, and state senate. Gubernatorial elections are held every 4 years, in the year after a presidential election (e.g., 2017, 2013, etc.). Assembly members serve 2-year terms and state senators serve 4-year terms.

Voters may request mail-in absentee ballots, but in-person early voting is not provided; neither is election day voter registration

Affiliated voters wishing to change their party affiliation must do so 55 days before the primary election (the 2018 deadline is April 11)

New Jersey state code: <http://www.njleg.state.nj.us/>

Closed primary; voters must be affiliated with a party to participate in its primary (55 days in advance). The only exception is new voters or voters who have never participated in a primary election before. Voting in a party's primary makes you a member of that party.

Separate ballots for each party:

19:23-23. Separate ballot for each party

There shall be separate ballots for each political party. Such ballots shall be alike in form for all political parties.

19:23-45 Requirements for voting in primary elections; affiliation.

19:23-45. No voter shall be allowed to vote at the primary election unless his name appears in the signature copy register.

A voter who votes in a primary election of a political party or who signs and files with the municipal clerk or the county commissioner of registration a declaration that he desires to vote in the primary election of a political party, or who indicates on a voter registration form the voter's choice of political party affiliation and submits the form to the commissioner of registration of the county wherein the voter resides, to the employees or agents of a public agency, as defined in subsection a. of section 15 of P.L.1974, c.30 (C.19:31-6.3), or a voter registration agency, as defined in subsection a. of section 26 of P.L.1994, c.182 (C.19:31-6.11), or to the Secretary of State, shall be deemed to be a member of that party until the voter signs and files with the municipal clerk or the commissioner of registration a declaration that he desires to

vote in the primary election of another political party at which time he shall be deemed to be a member of such other political party. The Secretary of State shall cause to be prepared political party affiliation declaration forms and shall provide such forms to the commissioners of registration of the several counties and to the clerks of the municipalities within such counties.

No voter, except a newly registered voter at the first primary at which he is eligible to vote, or a voter who has not previously voted in a primary election, may vote in a primary election of a political party unless he was deemed to be a member of that party on the 55th day next preceding such primary election.

19:31-13.2 Eligibility to vote in primary after change of declaration if 50 days before primary.

4. If, when submitting a voter registration form for any reason, a registrant declares thereon his or her political party affiliation and in so doing declares an affiliation with a political party other than the political party with which that person was affiliated previously, the registrant shall be ineligible to vote in the next succeeding primary election unless he or she has made the declaration of affiliation with the political party specified in the latest voter registration form no later than the 50th day next preceding such primary election.

Candidate filing (requires petition signatures):

19:23-5. Party candidates for primary nominated by members of same party by petition

Candidates to be voted for at the primary election for the general election shall be nominated exclusively by the members of the same political party by petition in the manner herein provided.

19:23-14. Petitions addressed to the Secretary of State, the county clerks, or the municipal clerks shall be filed with such officers, respectively, before 4:00 p.m. of the 64th day next preceding the day of the holding of the primary election for the general election.

Voter registration deadline (21 days before election):

19:31-6. Any person qualified to vote in an election shall be entitled to vote in the election if the person shall have registered to vote on or before the 21st day preceding the election

New Jersey delegate selection plans for 2016: <http://www.njelections.org/2016-results/2016-delegate-selection-plan-democratic.pdf>
<http://www.njelections.org/2016-results/2016-delegate-selection-plan-republican.pdf>

Both parties used closed primaries, except that unaffiliated voters could participate (and thus become registered party members). They used this same rule in 2012—allowing unaffiliated voters to declare affiliation at the polls.

[http://wfc2.wiredforchange.com/o/8787/images/NJDSC%20Delegate%20Selection%20Plan%202012\(1\).pdf](http://wfc2.wiredforchange.com/o/8787/images/NJDSC%20Delegate%20Selection%20Plan%202012(1).pdf)

New Mexico

Provides in-person early voting but not election day voter registration

Candidate filing:

http://www.sos.state.nm.us/Candidate_And_Pac_Information/primary-general-election-candidacy-faq-s.aspx

Candidates may qualify for the Democratic Primary by winning 20 percent of the vote at the Democratic Pre-Primary or by turning in the required number of qualified signatures to the New Mexico Secretary of State.

Candidates who fail to win 20 percent of the delegate vote are required to submit a larger number of voter petition signatures if they still want to qualify for the ballot.

New Mexico state code: <http://public.nmcompcomm.us/nmnxtadmin/>

Closed primary:

1-12-7. Conduct of election; persons not permitted to vote.

A. A person shall not vote in a primary, general or statewide special election unless he is a voter of the county in which he offers to vote. A valid original certificate of registration in the county register is prima facie evidence of being a voter in the precinct.

B. A person whose major party affiliation is not designated on his original certificate of registration shall not vote in a primary election.

C. A person at a primary election shall not be permitted to vote for the candidate of any party other than the party designated on his current certificate of registration.

History: 1953 Comp., § 3-12-10, enacted by Laws 1969, ch. 240, § 246; 1987, ch. 249, § 25; 1991, ch. 105, § 25; 1993, ch. 314, § 54; 1993, ch. 316, § 54; 1999, ch. 267, § 31; 2003, ch. 356, § 29.

Use of pre-primary nominating conventions:

1-8-21. Primary election; methods of placing names on primary ballot.

A. All candidates seeking primary election nomination to a statewide office or the office of United States representative shall file declarations of candidacy with the proper filing officer. Candidates shall file nominating petitions at the time of filing their declarations of candidacy. Candidates who seek, but do not obtain, preprimary convention designation by a major political party may file new declarations of candidacy and nominating petitions pursuant to Section [1-8-33](#) NMSA 1978.

1-8-21.1. Designation of candidates by convention.

A. State conventions of major political parties may designate candidates for nomination to statewide office or the office of United States representative.

B. No state convention for designating candidates shall be held later than the second Sunday in March preceding the primary election, and delegates to the convention shall be elected according to state party rules filed in the office of the secretary of state.

C. The state convention shall take only one ballot upon candidates for each office to be filled. Every candidate receiving twenty percent or more of the votes of the duly elected delegates to the convention for the office to be voted upon at the ensuing primary election shall be certified to the secretary of state as a convention-designated nominee for that office by the political party. Certification shall take place no later than 5:00 p.m. on the first Tuesday succeeding the state convention.

D. The certificate of designation submitted to the secretary of state shall state the name of the office for which each person is a candidate, each candidate's name and address and the name of the political party that each candidate represents and certification that the candidate has been a member of that political party for the period of time required by the Election Code.

1-8-33. Primary Election Law; nominating petition; number of signatures required.

A. As used in this section, "total vote" means the sum of all votes cast for all of the party's candidates for governor at the last preceding primary election at which the party's candidate for governor was nominated.

B. Candidates who seek preprimary convention designation shall file nominating petitions at the time of filing declarations of candidacy. Nominating petitions for those candidates shall be signed by a number of voters equal to at least two percent of the total vote of the candidate's party in the state or congressional district, or the following number of voters, whichever is greater: for statewide offices, two hundred thirty voters; and for congressional candidates, seventy-seven voters.

C. Nominating petitions for candidates for any other office to be voted on at the primary election for which nominating petitions are required shall be signed by a number of voters equal to at least three percent of the total vote of the candidate's party in the district or division, or the following number of voters, whichever is greater: for metropolitan court and magistrate courts, ten voters; for the public regulation commission, fifty voters; for the public education commission, twenty-five voters; for state representative, ten voters; for state senator, seventeen voters; and for district attorney and district judge, fifteen voters.

D. A candidate who fails to receive the preprimary convention designation that the candidate sought may collect additional signatures to total at least four percent of the total vote of the candidate's party in the state or congressional district, whichever applies to the office the candidate seeks, and file a new declaration of candidacy and nominating petitions for the office for which the candidate failed to receive a preprimary designation. The declaration of candidacy and nominating petitions shall be filed with the secretary of state either ten days following the date of the preprimary convention at which the candidate failed to receive the designation or on the date all declarations of candidacy and nominating petitions are due pursuant to the provisions of the Primary Election Law [[1-8-10](#) to [1-8-52](#) NMSA 1978], whichever is later.

History: 1953 Comp., § 3-8-24.4, enacted by Laws 1973, ch. 228, § 7; 1975, ch. 255, § 110; Laws 1975, ch. 295, § 17; 1979, ch. 378, § 9, 1982, ch. 1, § 2; Laws 1985, ch. 2, § 6; 1985, ch. 206, § 2; 1987, ch. 216, § 1; 1993, ch. 55, § 7; 1994, ch. 92, § 5; 1995, ch. 124, § 16; 1998, ch. 36, § 5; 2007, ch. 337, § 10; 2008, ch. 57, § 1.

Candidate filing deadlines:

1-8-26. Primary Election Law; time of filing; documents necessary to qualify for ballot; challenge.

A. Declarations of candidacy by preprimary convention designation for any statewide office or for the office of United States representative shall be filed with the proper filing officer on the first Tuesday in February of each even-numbered year between the hours of 9:00 a.m. and 5:00 p.m.

B. Declarations of candidacy for any other office to be nominated in the primary election shall be filed with the proper filing officer on the second Tuesday of March of each even-numbered year between the hours of 9:00 a.m. and 5:00 p.m.

C. Certificates of designation shall be submitted to the secretary of state on the first Tuesday following the preprimary convention at which the candidate's designation took place between the hours of 9:00 a.m. and 5:00 p.m.

Voter registration deadline (28 days prior to the election):

1-4-8. Duties of county clerk; acceptance of registration; close of registration; late registration.

For qualified electors, the following provisions shall apply:

A. the county clerk shall receive certificates of registration at all times during normal working hours, except that the clerk shall close registration at the end of the twenty-eighth day immediately preceding any election at which the registration books are to be furnished to the precinct board

Early voting period:

1-6-5.7. Early voting; use of absentee voting procedures; alternate voting locations.

A. Commencing on the third Saturday prior to an election and ending on the Saturday immediately preceding the election, an early voter may vote in person on a voting system at an alternate voting location established by the county clerk.

2017: Failed legal challenge to the closed primary system

<https://newsok.com/article/feed/1162683/new-mexico-supreme-court-upholds-closed-primary-elections>

FairVote indicates that New Mexico is a party-choice state, but I can't find any solid evidence of this—the statutes aren't explicit about the parties' right to change that particular rule, though I suspect that if the parties wanted to change it, they could. I think they would just have to amend their rules and regulations (see below). However, current law clearly states that a voter not affiliated with the party cannot participate in the primary, so I code it as "0" for party choice.

1-7-3. Rules and regulations; contents.

The secretary of state and the county clerk shall not accept the rules and regulations of any political party for filing unless such rules and regulations provide:

- A. a method for nominating candidates for the general election;
- B. a method for calling and conducting conventions;
- C. a method for selection of delegates to conventions;

D. a method for selection of state central committee members, a state chairman and other party officers, and all other members of governing bodies of the party;

E. a method for filling vacancies in party offices, committees and other governing bodies;

F. the powers and duties of party officers, committees and other governing bodies;

G. for the structure of the state and county party organizations;

H. that meetings to elect any party officers, including delegates, shall be held at a public place during the week specified by the state party chairman;

I. that notice of such meetings shall be published by the officers of the county party organization in a newspaper of general circulation at least fourteen days prior to the meeting and the notice shall specify the time, date and place for holding the meeting; and

J. a method for amending the party rules and regulations.

New York

2018 dates: <http://www.elections.ny.gov/NYSBOE/law/2018PoliticalCalendar.pdf>

Currently does not provide in-person early voting or election day voter registration, but early voting might be available starting in 2019, depending on whether this legislation gets passed in the NY Senate: <http://nyassembly.gov/Press/files/20180417a.php>

Voter registration deadline (25 days before election):

§ 5–210. Registration and enrollment and change of enrollment upon application

3. Completed application forms, when received by any board of elections and, with respect to application forms promulgated by the federal election commission, when received by the state board of elections, or showing a dated cancellation mark of the United States Postal Service or contained in an envelope showing such a dated cancellation mark which is not later than the **twenty-fifth day** before the next ensuing primary, general or special election, and received no later than the twentieth day before such election, or delivered in person to such board of elections not later than the tenth day before a special election, shall entitle the applicant to vote in such election, if he or she is otherwise qualified, provided, however, such applicant shall not vote on a voting machine until his or her identity is verified.

New York's political parties hold nominating conventions prior to the primaries:

<https://www.cityandstateny.com/articles/politics/campaigns-elections/conventions-how-parties-choose-candidates-months-primary.html>

New York state code:

<https://www.elections.ny.gov/NYSBOE/download/law/2018NYElectionLaw.pdf>

Closed primary:

Sec. 8-302. Voting; verification of registration

4. At a primary election, a voter whose registration poll record is in the ledger shall be permitted to vote only in the primary of the party in which such record shows him to be enrolled unless he shall present a court order pursuant to the provisions of subparagraph (i) of paragraph (e) of subdivision three of this section requiring that he be permitted to vote in the primary of another party, or unless he shall present a certificate of enrollment issued by the board of elections, not earlier than one month before such primary election, pursuant to the provisions of this chapter which certifies that he is enrolled in a party other than the one in which such record shows him to be enrolled, or unless he shall subscribe an affidavit pursuant to the provisions of subparagraph (ii) of paragraph (e) of subdivision three of this section.

Party choice:

Sec. 5-210. Registration and enrollment and change of enrollment upon application

5. Statewide application forms shall be designed by the state board of elections, which shall conform to the requirements for the national voter registration form in the rules and regulations promulgated by the federal election commission and the federal Help America Vote Act,¹ and shall elicit the information required for the registration poll record. The form shall include such other information as the state board of elections may reasonably require to enable the board of elections to assess the eligibility of the applicant and to administer voter registration and other parts of the election process and shall also include the following information:

(f) Notice that political party enrollment is optional but that, in order to vote in a primary election of a political party, a voter must enroll in that political party, unless state party rules allow otherwise.

Changing party affiliation:

Sec. 5-304. Enrollment; change of enrollment or new enrollment by previously registered voters

1. A registered voter may change his enrollment in the manner prescribed by this section.
2. The term "change of enrollment" shall apply to applications by a registered voter already enrolled in one party to enroll in a different party, or to delete his enrollment in any party, or an application by a registered voter not enrolled in any party to enroll in a particular party.
3. A change of enrollment received by the board of elections not later than the twenty-fifth day before the general election shall be deposited in a sealed enrollment box, which shall not be opened until the first Tuesday following such general election. Such change of enrollment shall be then removed and entered as provided in this article.

Conventions:

Sec. 6-104. Party designation; statewide office

1. Party designation of a candidate for nomination for any office to be filled by the voters of the entire state shall be made by the state committee.

2. The state committee shall make a decision by majority vote. The person receiving the majority vote shall be the party's designated candidate for nomination, and all other persons who shall have received twenty-five percent or more of the vote cast on any ballot shall have the right to make written demand, duly acknowledged, to the state board of elections that their names appear on the primary ballot as candidates for such nomination. Such demand shall be made not later than seven days after such meeting and may be withdrawn in the same manner within fourteen days after such meeting.

6. The meeting of the state committee for the purpose of designating candidates shall be held not earlier than twenty-one days before the first day to sign designating petitions and not later than the first day to sign designating petitions for the primary election.

Sec. 6-134. Designating petition; rules

4. A signature made earlier than thirty-seven days before the last day to file designating petitions for the primary election shall not be counted.

Sec. 6-158. Nominating and designating petitions and certificates, conventions; times for filing and holding

1. A designating petition shall be filed not earlier than the tenth Monday before, and not later than the ninth Thursday preceding the primary election.

Note: the statute says that the deadline is the ninth Thursday preceding the primary, but the yearly election calendars issued by the NY State Board of Elections always give the eleventh Thursday (two weeks earlier) as the deadline. I enter the Board of Elections deadlines in the dataset when available.

Primaries:

Sec. 6-160. Primaries

1. If more candidates are designated for the nomination of a party for an office to be filled by the voters of the entire state than there are vacancies, the nomination or nominations of the party shall be made at the primary election at which other candidates for public office are nominated and the candidate or candidates receiving the most votes shall be the nominees of the party.

2. All persons designated for uncontested offices or positions at a primary election shall be deemed nominated or elected thereto, as the case may be, without balloting.

Sec. 6-164. Primary, uncontested; opportunity to ballot

Enrolled members of a party entitled to vote in the nomination of a candidate for public office or the election of a candidate for party position in a primary election of such party, and equal in number to at least the number of signers required to designate a candidate for such office or position may file with the officer or board with whom or which are filed designating petitions for such office or position a petition requesting an opportunity to write in the name of a candidate or candidates, who need not be specified, for such office or position. Upon the receipt of such a petition, such office or position shall be deemed contested and the primary ballots of the party shall afford an opportunity to vote thereon. Requests for an opportunity to write in the names of candidates for two or more offices or positions may be included in the same petition. Such petitions shall be subject to objections and court determination thereof in the same manner as designating petitions so far as the provisions therefor are applicable. All required notices shall be served on the members of the committee named in the petition. A signature to a petition for an opportunity to ballot in primary elections made earlier than sixteen days before the last day to file designating petitions for the primary election shall not be counted.

Cross-filing (Wilson-Pakula Act):

Sec. 6-120. Designation and nomination; restrictions

1. A petition, except as otherwise herein provided, for the purpose of designating any person as a candidate for party nomination at a primary election shall be valid only if the person so designated is an enrolled member of the party referred to in said designating petition at the time of the filing of the petition.

2. Except as provided in subdivisions three and four of this section, no party designation or nomination shall be valid unless the person so designated or nominated shall be an enrolled member of the political party referred to in the certificate of designation or nomination at the time of filing of such certificate.

3. The members of the party committee representing the political subdivision of the office for which a designation or nomination is to be made, unless the rules of the party provide for another committee, in which case the members of such other committee, and except as hereinafter in this subdivision provided with respect to certain offices in the city of New York, may, by a majority vote of those present at such meeting provided a quorum is present, authorize the designation or nomination of a person as candidate for any office who is not enrolled as a member of such party as provided in this section. In the event that such designation or nomination is for an office to be filled by all the voters of the city of New York, such authorization must be by a majority vote of those present at a joint meeting of the executive committees of each of the county committees of the party within the city of New York, provided a quorum is present at such meeting. The certificate of authorization shall be filed not later than four days after the last day to file the designating petition, certificate of nomination or certificate of substitution to which such authorization relates. The certificate of authorization shall be signed and acknowledged by the presiding officer and the secretary of the meeting at which such authorization was given.

4. This section shall not apply to a political party designating or nominating candidates for the first time, to candidates nominated by party caucus, nor to candidates for judicial offices.

(L.1976, c. 233, Sec. 1. Amended L.1976, c. 234, Sec. 26; L.1978, c. 373, Sec. 54; L.1982, c. 226, Sec. 1.)

Why New York's complicated election laws matter:

<https://www.vox.com/2018/7/12/17564576/alexandria-ocasio-cortez-joe-crowley-twitter-ballot-new-york>

North Carolina

2018 dates: <https://www.ncsbe.gov/Elections/2018-Election-Information>

State provides early in-person voting but not election-day voter registration

Voter registration deadline:

§ 163A-865. Acceptance of application forms.

(d) Registration Deadlines for a Primary or Election. – In order to be valid for a primary or election, the form: (1) If submitted by mail, must be postmarked at least 25 days before the primary or election, except that any mailed application on which the postmark is missing or unclear is validly submitted if received in the mail not later than 20 days before the primary or election, G.S. 163A-865 Page 2 (2) If submitted in person, by facsimile transmission, or by transmission of a scanned document, must be received by the county board of elections by a time established by that board, but no earlier than 5:00 P.M., on the twenty-fifth day before the primary or election, (3) If submitted through a delegatee who violates the duty set forth in subsection (a) of this section, must be signed by the applicant and given to the delegatee not later than 25 days before the primary or election, except as provided in subsection (f) of this section.

NC also provides same-day voter registration during the early voting period (just not on election day).

Candidate filing period:

§ 163A-974. Time for filing notice of candidacy. (a) Candidates seeking party primary nominations for the following offices shall file their notice of candidacy with the State Board no earlier than 12:00 noon on the second Monday in February and no later than 12:00 noon on the last business day in February preceding the primary

No-excuse absentee voting, in person:

§ 163A-1300. Alternate procedures for requesting application for absentee ballot; "one-stop" voting procedure in board office.

(a) Any voter eligible to vote by absentee ballot under G.S. 163A-1295 may request an application for absentee ballots, complete the application, and vote under the provisions of this section and G.S. 163A-1301, 163A-1302, 163A-1303, and 163A-1304. (b) Not earlier than the **second Thursday** before an election, in which absentee ballots are authorized, in which a voter seeks to vote and not later than 1:00 P.M. on the last Saturday before that election, the voter shall appear in person only at the office of the county board of elections, except as provided in G.S. 163A-1303. A county board of elections shall conduct one-stop voting on the last Saturday before the election until 1:00 P.M.

However, the NC Board of Elections website says that early voting always starts the **third** Thursday before an election. In 2014, it began on the second Thursday before the general election (but it began on the third Thursday before the 2014 **primary** election).

Candidates who do not wish to pay the filing fee for the primary may gather petition signatures instead:

<https://www.ncsbe.gov/Portals/0/Documents/PetitionInLieuOfFilingFeeFactSheet2018.pdf>

Primary run-offs are held if no candidate receives a “substantial plurality” of the vote (30%) and if the second-place candidate requests it (see § 163A-984). Primary runoffs for federal offices are held 10 weeks after the primary; runoffs for state offices are held 7 weeks after the primary. Runoffs for the 2016 elections were cancelled.

§ 163A-984. Determination of primary results; second primaries. (a) Nomination Determined by Substantial Plurality; Definition of Substantial Plurality. – Except as otherwise provided in this section, nominations in primary elections shall be determined by a substantial plurality of the votes cast. A substantial plurality within the meaning of this section shall be determined as follows: (1) If a nominee for a single office is to be selected, and there is more than one person seeking nomination, the substantial plurality shall be ascertained by multiplying the total vote cast for all aspirants by thirty percent (30%). Any excess of the sum so ascertained shall be a substantial plurality, and the aspirant who obtains a substantial plurality shall be declared the nominee. If two candidates receive a substantial plurality, the candidate receiving the highest vote shall be declared the nominee.

(b) Right to Demand Second Primary. – If an insufficient number of aspirants receive a substantial plurality of the votes cast for a given office or group of offices in a primary, a second primary, subject to the conditions specified in this section, shall be held. The threshold used to be 40 percent (the rule technically changed in 2016, though no runoffs were held that year).

A candidate who has filed for the primary and remains unopposed after the close of the filing period will be certified as the party’s nominee without the need for a primary:

<https://www.ncsbe.gov/Portals/0/Documents/USCongressCandidateFilingFactSheet2018.pdf>

North Carolina state code:

<https://www.ncleg.net/gascripts/Statutes/StatutesTOC.pl?Chapter=0163A>

Semi-closed primary; affiliated voters must be affiliated with the party, but unaffiliated voters may participate in a party’s primary without changing affiliation:

§ 163A-843. Right to participate or vote in party primary. No person shall be entitled to vote or otherwise participate in the primary election of any political party unless that person complies with all of the following: (1) Is a registered voter. (2) Has declared and has had recorded on the registration book or record the fact that the voter affiliates with the political party in whose primary the voter proposes to vote or participate. (3) Is in good faith a member of that party. Notwithstanding the previous paragraph, any unaffiliated voter who is authorized under G.S. 163A-989 may also vote in the primary if the voter is otherwise eligible to vote in that primary except for subdivisions (2) and (3) of the previous paragraph.

Changes in party affiliation must be made by the registration deadline:

§ 163A-881. Change of party affiliation. (a) Registrant's Duty to Report. – Any registrant who desires to have the record of his party affiliation or unaffiliated status changed on the registration list shall, no later than the last day for making application to register under G.S. 163A-865 before the election, indicate the change on an application form as described in G.S. 163A-862 or on a voter registration card described in G.S. 163A-869. No registrant shall be permitted to change party affiliation or unaffiliated status for a primary, second primary, or special or general election after the deadline for registration applications for that election as set out in G.S. 163A-865.

Party choice (parties must make this decision by Dec. 1 preceding the primary—these decisions stand until the party reverses them):

§ 163A-989. Voting by unaffiliated voter in party primary. If a political party has, by action of its State Executive Committee reported to the State Board by resolution delivered no later than the first day of December preceding a primary, provided that unaffiliated voters may vote in the primary of that party, an unaffiliated voter may vote in the primary of that party by announcing that intention under G.S. 163A-1137(a). For a party to withdraw its permission, it must do so by action of its State Executive Committee, similarly reported to the State Board no later than the first day of December preceding the primary where the withdrawal is to become effective. (1993 (Reg. Sess., 1994), c. 762, s. 7; 2002-159, s. 21(a); 2017-6, s. 3.)

Public choice of ballot:

§ 163A-1137. Voting procedures. (a) Checking Registration. – A person seeking to vote shall enter the voting enclosure through the appropriate entrance. A precinct official assigned to check registration shall at once ask the voter to state current name and residence address. The voter shall answer by stating current name and residence address and presenting photo identification in accordance with G.S. 163A-1145. In a primary election, that voter shall also be asked to state, and shall state, the political party with which the voter is affiliated or, if unaffiliated, the authorizing party in which the voter wishes to vote.

North Carolina passed legislation containing significant election reforms in 2013 (many provisions were subsequently challenged in the courts).

<https://www.newsobserver.com/news/politics-government/article10089482.html>

North Dakota

2018 dates: <https://vip.sos.nd.gov/pdfs/Portals/electioncalendar.pdf>

North Dakota has no formal voter registration system; an eligible voter may vote in an election if the voter provides acceptable identification.

In-person early voting is available at designated precincts (not statewide) during the 15-day period immediately preceding an election:

16.1-07-15. Early voting precinct - Election board appointment - Closing and canvassing. 1. For any primary, general, or special statewide, district, or county election, the board of county commissioners may, before the sixty-fourth day before the day of the election, create a special precinct, known as an early voting precinct, to facilitate the conduct of early voting in that county according to chapters 16.1-13 and 16.1-15. At the determination of the county auditor, more than one polling place may be utilized for the purposes of operating the early voting precinct. The election board of the early voting precinct must be known as the early voting precinct election board. The county auditor shall supply the board with all necessary election supplies as provided in chapter 16.1-06. 2. If the board of county commissioners establishes an early voting precinct according to this section, the following provisions apply: a. Early voting must be authorized during the fifteen days immediately before the day of the election. The county auditor shall designate the business days and times during which the early voting election precinct will be open and publish notice of the early voting center locations, dates, and times in the official county newspaper once each week for three consecutive weeks immediately before the day of the election.

North Dakota state code: <https://www.legis.nd.gov/cencode/t16-1.html>

Open primary (voter may participate in only one party's primary; private choice):

16.1-11-22. Primary election ballot - Form - Voters to vote for candidates of only one political party. At the primary election there may be only one ballot for all parties or principles.

The judges and the inspector of elections shall inform each elector at the primary, before voting, that if the voter votes for candidates of more than one political party the voter's political party ballot will be rejected.

Pre-primary conventions:

16.1-03-14. State party convention. 1. The party state committee shall set the place and time of the state party convention to be held in each general election year. Subject to party rules and bylaws, the state party convention may: a. Nominate the legal number of qualified electors for its party for the offices of presidential electors. b. Elect the required number of delegates and alternates to the national party convention. c. Endorse candidates as provided under subsection 2. 2. The candidate or candidates for endorsement or election must be declared endorsed or elected under the rules of the party, and the chairman and secretary of the convention shall issue certificates of endorsement as provided in section 16.1-11-06 or certificates of election. The names of the qualified electors nominated for presidential electors the party wishes to place on the general election ballot must be certified by the chairman and secretary of the convention to

the secretary of state by four p.m. on the sixty-fourth day before the general election to be placed upon the general election ballot as provided in section 16.1-06-07.1.

To qualify for the primary ballot, candidates must either win endorsement from the party at its convention OR get enough petition signatures:

16.1-11-06. State candidate's petition or political party certificate of endorsement required to get name on ballot - Contents - Filing. 1. Every candidate for United States senator, United States representative, a state office, including the office of state senator or state representative, and judges of the supreme and district courts shall present to the secretary of state, **between the first date candidates may begin circulating nominating petitions according to this chapter and before four p.m. of the sixty-fourth day before any primary election**, either: a. The certificate of endorsement signed by the state chairman of any legally recognized political party containing the candidate's name, post-office address, and telephone number, the title of the office to which the candidate aspires, and the party which the candidate represents; or b. The nominating petition containing the following: (1) The candidate's name, post-office address, and telephone number, and the title of the office to which the candidate aspires, the appropriate district judgeship number if applicable, and whether the petition is intended for nomination for an unexpired term of office if applicable. (2) The name of the party the candidate represents if the petition is for an office under party designation. (3) The signatures of qualified electors, the number of which must be determined as follows: (a) If the office is under party designation, the signatures of three percent of the total vote cast for the candidates of the party with which the candidate affiliates for the same position at the last general election. However, no more than three hundred signatures may be required. (b) If there was no candidate of a party for a position at the preceding general election, at least three hundred signatures. (c) If the office is under the no-party designation, at least three hundred signatures. (d) If the office is a legislative office, the signatures of at least one percent of the total resident population of the legislative district as determined by the most recent federal decennial census. (4) The mailing address and the date of signing for each signer. 2. If the petition or certificate of endorsement is for the office of governor and lieutenant governor, the petition or certificate must contain the names and other information required of candidates for both those offices. If the petition or certificate of endorsement is mailed, it must be in the possession of the secretary of state before four p.m. of the sixty-fourth day before the primary election.

16.1-11-15. Nominating petition not to be circulated prior to January first - Special election. **No nominating petition provided for in sections 16.1-11-06 and 16.1-11-11 may be circulated or signed prior to January first preceding the primary election.** Any signatures to a petition secured before that time may not be counted. A nominating petition for a special election may not be circulated or signed more than thirty days before the time when a petition for the special election must be filed.

ND GOP bylaws:

<https://s3.amazonaws.com/buzz360prod/ndgop/NDGOP+State+Party+and+Convention+Rules+Dec+2017.pdf>

ND Democratic Party bylaws: <http://demnpl.com/bylaws/>

Ohio

2018 dates: <https://www.sos.state.oh.us/publications/2018-elections-calendar/#gref>

Candidate filing rules:

https://www.sos.state.oh.us/globalassets/publications/election/2018_crg_07.pdf

Election day voter registration is not provided. Early in-person absentee voting is allowed—starting the day after the close of voter registration, voters may cast their absentee ballots in person: <https://www.sos.state.oh.us/elections/voters/absentee-voting/#inPerson>

Ohio state code: <http://codes.ohio.gov/orc/35>

Open primary (no partisan registration), public choice of party's ballot:

3513.13 Separate primary election ballots for political parties.

Separate primary election ballots shall be provided by the board of elections for each political party having candidates for nomination or election in a primary election.

Technically only voters who are “affiliated” with the party are allowed to vote in the primary, but without partisan registration, this is impossible to enforce. Voters’ partisan affiliations may be challenged at the polls:

3503.011 Qualifications of electors for primary elections.

At a primary election every qualified elector who is or will be on the day of the next general election eighteen or more years of age, and who is a member of or is affiliated with the political party whose primary election ballot he desires to vote, shall be entitled to vote such ballot at the primary election.

Effective Date: 03-23-1981 .

3513.19 Challenges at primary elections.

(A) It is the duty of any precinct election official, whenever any such official doubts that a person attempting to vote at a primary election is legally entitled to vote at that election, to challenge the right of that person to vote. The right of a person to vote at a primary election may be challenged upon the following grounds:

(1) That the person whose right to vote is challenged is not a legally qualified elector;

(2) That the person has received or has been promised some valuable reward or consideration for the person's vote;

(3) That the person is not affiliated with or is not a member of the political party whose ballot the person desires to vote. Such party affiliation shall be determined by examining the elector's voting record for the current year and the immediately preceding two calendar years as shown on the voter's registration card, using the standards of affiliation specified in the seventh paragraph of section 3513.05 of the Revised Code. Division (A)(3) of this section and the seventh paragraph of section 3513.05 of the Revised Code do not prohibit a person who holds an elective office for which candidates are nominated at a party primary election from doing any of the following:

(a) If the person voted as a member of a different political party at any primary election within the current year and the immediately preceding two calendar years, being a candidate for nomination at a party primary held during the times specified in division (C)(2) of section 3513.191 of the Revised Code provided that the person complies with the requirements of that section;

(b) Circulating the person's own petition of candidacy for party nomination in the primary election.

(B) When the right of a person to vote is challenged upon the ground set forth in division (A)(3) of this section, membership in or political affiliation with a political party shall be determined by the person's statement, made under penalty of election falsification, that the person desires to be affiliated with and supports the principles of the political party whose primary ballot the person desires to vote.

Candidate filing period and requirements:

3513.05 Deadline for filing declaration of candidacy.

Each person desiring to become a candidate for a party nomination at a primary election or for election to an office or position to be voted for at a primary election, except persons desiring to become joint candidates for the offices of governor and lieutenant governor and except as otherwise provided in section 3513.051 of the Revised Code, shall, not later than four p.m. of the ninetieth day before the day of the primary election, file a declaration of candidacy and petition and pay the fees required under divisions (A) and (B) of section 3513.10 of the Revised Code.

Voter registration deadline:

3503.19 Methods of registration or change of registration.

An otherwise valid voter registration application that is returned to the appropriate office other than by mail must be received by a state or local office of a designated agency, the office of the registrar or any deputy registrar of motor vehicles, a public high school or vocational school, a public library, the office of a county treasurer, the office of the secretary of state, or the office of a board of elections no later than the **thirtieth day** preceding a primary, special, or general election for the person to qualify as an elector eligible to vote at that election. An otherwise valid registration application received after that day entitles the elector to vote at all subsequent elections.

On calculating deadlines: *Note: In some instances, the statutory deadline falls on a day when the offices of the Secretary of State and boards of elections are closed. In those

instances, the deadlines are extended pursuant to [R.C. 1.14 \(opens in a new window\)](#) to the next succeeding day when the appropriate office is open for regular business hours.

Early voting period:

3509.01 Absent voter's ballot procedures.

(3) For all voters who are applying to vote absent voter's ballots in person, ballots shall be printed and ready for use **beginning on the first day after the close of voter registration before the election.**

In 2014, the legislature approved a measure to cut the early voting period from 35 days to 29 days, along with other restrictions (eliminating “Golden Week” where voters could register and vote at the same time, and limiting the mailing of absentee ballots). They were intended to go into effect for the 2014 general election, but because of court challenges, the early voting period for the 2014 general remained 35 days. These provisions were challenged in the courts in a series of cases during 2014-2016 but were ultimately upheld.

https://www.cleveland.com/open/index.ssf/2014/02/ohio_house_passes_bills_to_cha.html

<https://www.theatlantic.com/politics/archive/2016/08/ohio-voting-decision/497066/>

Oklahoma

2018 dates: https://www.ok.gov/elections/Election_Info/2018_Election_Calendar.html

Provides in-person early voting but not election day voter registration

Primary runoff election held 8/28/18 (registration deadline is 8/3/18; early voting period 8/23/ to 8/25)

Candidate filing:

§ 26-5-110

Declarations of Candidacy provided herein must be filed with the secretary of the appropriate election board no earlier than 8:00 a.m. on the second Wednesday of April of any even-numbered year and no later than 5:00 p.m. on the next succeeding Friday. Such Declarations of Candidacy may be transmitted by United States mail, but in no event shall the secretary of any election board accept such Declarations after the time prescribed by law.

In lieu of a filing fee, a candidate may submit a petition supporting their candidacy signed by not less than 2 percent of the number of registered voters in the appropriate district or in the state, as applicable for the office sought.

There is a certain period during which voters cannot change their party affiliation:

https://www.ok.gov/elections/Voter_Info/Register_to_Vote/index.html

If you need to change your name, your address or your political affiliation, you must fill out another voter registration application form. You may change your registration at any time with one exception. **You may not change your political affiliation during the period from April 1 through August 31, inclusive, in any even-numbered year.** The last day on which you may change your political affiliation before the closed period is March 31; the first day on which you may change your political affiliation after the closed period is September 1. (see § 26-4-119)

Closed primaries:

Oklahoma has a closed primary system with exceptions. Generally, only voters who are registered members of a recognized political party may vote for the party's candidates in primary and runoff primary elections. However, registered Independent voters may be eligible to vote in party's primaries and runoff primaries if authorized by the party. **The Democratic Party has authorized Independent voters to vote in their primary and runoff elections in 2018 and 2019.** Registered Republicans may only vote in Republican primaries and runoffs, Registered Libertarians may only vote in Libertarian primaries and runoffs, and Independents may not vote in Republican or Libertarian primaries and runoffs.

Nonpartisan judicial offices, state questions and county questions often are included in primary elections. All registered voters, including Independents, are entitled to receive those ballots. At general elections, all voters receive the same ballot and may vote for any candidate or question on the ballot.

Oklahoma state code:

<https://www.oscn.net/applications/oscn/Index.asp?ftdb=STOKST26&level=1>

Runoff primary:

§ 26-1-103

If at any Primary Election no candidate for the nomination for office of any political party receives a majority of all votes cast for all candidates of such party for the office, no candidate shall be nominated by such party for the office, but the two candidates receiving the highest number of votes at such election shall be placed on the official ballot as candidates for such nomination at a Runoff Primary Election to be held on the fourth Tuesday of August in the same year.

Closed primaries, party choice:

§ 26-1-104

A. No registered voter shall be permitted to vote in any Primary Election or Runoff Primary Election of any political party except the political party of which his registration form shows him to be a member, except as otherwise provided by this section.

B. 1. A recognized political party may permit registered voters designated as Independents pursuant to the provisions of Section 26-4-112 of this title to vote in a Primary Election or Runoff Primary Election of the party.

2. The state chairman of the party shall, between November 1 and 30 of every odd-numbered year, notify the Secretary of the State Election Board as to whether or not the party intends to permit registered voters designated as Independents to vote in a Primary Election or Runoff Primary Election of the party. If the state chairman notifies the Secretary of the State Election Board of the party's intention to so permit, registered voters designated as Independents shall be permitted to vote in any Primary Election or Runoff Primary Election of the party held in the following two (2) calendar years. If the state chairman of one party notifies the Secretary of the State Election Board of the party's intent to so permit, the notification period specified in this paragraph shall be extended to December 15 for the state chairman of any other party to so notify or to change prior notification. A registered voter designated as Independent shall not be permitted to vote in a Primary Election or Runoff Primary Election of more than one party.

3. Failure to so notify the Secretary of the State Election Board shall serve to prohibit registered voters designated as Independents from voting in a Primary Election or Runoff Primary Election of the party.

Voter registration deadline:

§ 26-4-110.1

A. Voter registration applications may be submitted at any time. However, completed applications received by the State Election Board, any county election board, any agency designated to accept voter registration applications or any motor license agent as part of a driver license or identification card application twenty-four (24) or fewer days prior to an election; any mail application postmarked or any electronic application submitted twenty-four (24) or fewer days prior to an election or any mail application received without a postmark nineteen (19) or fewer days prior to an election shall not be

approved for that election if the applicant's residence is located within the geographical boundaries of the entity for which the election is being conducted.

Early voting:

§ 26-14-115.4

A. 1. A registered voter may apply for an in-person absentee ballot at a location designated by the secretary of the county election board from 8 a.m. to 6 p.m. on Thursday and Friday immediately preceding any election and from 9 a.m. to 2 p.m. on Saturday immediately preceding a state or federal election.

Oklahoma Democrats voted to open their primary to independent voters for the first time in 2015:

<https://kfor.com/2015/11/16/oklahoma-independent-voters-now-allowed-to-vote-in-democratic-primary/>

Oregon

2018 dates: <https://sos.oregon.gov/elections/Documents/2018-election-timeline.pdf>

How to file a candidate statement for the Oregon Voters' Pamphlet:

<https://sos.oregon.gov/elections/Pages/filevoterspamphlet.aspx>

Oregon offers voting by mail (since 2000): registered voters receive a ballot 2-3 weeks before an election. It can be mailed in or dropped off at an official drop box site (ballot must be received by 8:00 p.m. on election day)

Party choice:

Each major political party uses the Primary Election to nominate their party candidates for the November General Election. Each state has different rules governing Primary Elections. In Oregon, major parties have the option of choosing a "closed system," meaning only registered voters in that party can vote for candidates of the same party. Or, a major party can choose an "open system" where the major party allows registered voters who are not registered with any party to vote for candidates in their party's Primary Election.

Democratic Party bylaws (closed primary): http://dpo.org/files/images/dpo_bylaws_11-19-17_1.pdf

ARTICLE XVIII - ELECTIONS FOR PUBLIC OFFICE Section 1 - Unless the SCC votes otherwise, only registered Democrats may vote in the Democratic primary. A. A vote to open the Democratic Primary to non-affiliated voters must occur at a State Central Committee meeting held before the statutory deadline. B. Approval requires a two-thirds majority vote of the SCC and will govern only that primary. C. Unless the DNC rules otherwise, nothing in this section allows the opening of a primary ballot that includes the office of President of the United States. Section 2 - Only registered Democrats may receive the Democratic Party's nomination for partisan public office.

Past efforts to open primaries:

https://www.oregonlive.com/politics/index.ssf/2012/02/oregon_republican_party_opens.html

In 2008, Oregon voters defeated a measure to allow open primaries by a 2-to-1 margin.

A ballot measure to establish a top-two nonpartisan primary in 2014 was also defeated:

https://www.oregonlive.com/politics/index.ssf/2014/11/top-two_primaries_measure_90_o.html

Oregon state code: https://www.oregonlegislature.gov/bills_laws/Pages/ORS.aspx

254.365 Voting at primary election by major party members and nonaffiliated electors. (1)

An elector is not qualified or permitted to vote at any primary election for any candidate of a major political party, and it is unlawful for the elector to offer to do so, unless:

(a) The elector is registered as being affiliated with one of the major political parties nominating or electing its candidates for public office at the primary election; or

(b) The elector is registered as not being affiliated with any political party and wishes to vote in the primary election of a major political party that has provided under subsection (3) of this section for a primary election that admits electors not affiliated with any political party.

(2) Except as provided in ORS 254.470 (3), any elector offering to vote at the primary election shall be given a ballot of the major political party with which the elector is registered as being affiliated. The elector may not be given a ballot of any other political party at that primary election. An elector not affiliated with any political party and offering to vote at the primary election shall be given the ballot of the major political party in whose primary election the elector wishes to vote if that party has provided under subsection (3) of this section for a primary election that admits electors not affiliated with any political party. An elector not affiliated with any political party who is given a ballot of the major political party associates with the party for the purpose of voting in that primary election.

(3)(a) Not later than the 90th day before the date of the primary election, a major political party may file with the Secretary of State a certified copy of the current party rule allowing an elector not affiliated with any political party to vote in the party's primary election. The party may not repeal the rule as filed during the 90 days before the primary election. The rule shall continue to be effective after the date of the primary election until the party gives written notice to the Secretary of State that the rule has been repealed. Except as provided in paragraph (b) of this subsection, a party rule under this subsection may limit the candidates for whom an elector who is not affiliated with any political party may vote.

(b) The party rule shall allow any elector who is permitted to vote for the most numerous branch of the Legislative Assembly also to vote in federal legislative elections, consistent with section 2, Article I, and the Seventeenth Amendment to the United States Constitution.

(4) If the primary election ballot includes city, county or nonpartisan offices or measures, and it is given to an elector who is not eligible to vote for party candidates, the ballot shall be marked "non-affiliated." [Formerly 249.366; 1987 c.719 §§1,20; 1995 c.712 §62; 1999 c.999 §51; 2007 c.154 §34]

Candidate filing period:

249.037 Time for filing petition or declaration. (1) Except as otherwise provided in this section, a nominating petition or declaration of candidacy shall be filed not sooner than the 250th day and not later than the 70th day before the date of the primary election.

Voter registration deadline (21 days before election):

247.025 Registration deadline; required address. To vote in an election:

(1) A person's registration card must be received at an office or location described in ORS 247.012 not later than the time the office or location closes for business on the 21st day immediately preceding the election, but in no case later than midnight of the 21st day immediately preceding the election;

(2) A person's registration card must be postmarked not later than the 21st day immediately preceding the election and be addressed to an office of any county clerk, the Office of the Secretary of State, an office of the Department of Transportation or any designated voter registration agency as described in ORS 247.208; or

(3) A person's registration card must be delivered electronically as described in ORS 247.019 not later than 11:59 p.m. of the 21st day immediately preceding the election. [1979 c.190 §43; 1985 c.833 §1; 1987 c.719 §9; 1987 c.733 §1; 1993 c.713 §7; 1999 c.410 §8; 2008 c.53 §2; 2010 c.9 §2]

Early voting (all ballots sent by mail):

254.470 Procedures for conducting election by mail; rules. (1) The Secretary of State by rule shall establish requirements and criteria for the designation of places of deposit for the ballots cast in an election. The rules shall also specify the dates and times the places of deposit must be open and the security requirements for the places of deposit. At a minimum, the places designated under this section shall be open on the date of the election for a period of eight or more hours, but must be open until at least 8 p.m. At each place of deposit designated under this section, the county clerk shall prominently display a sign stating that the location is an official ballot drop site.

(2)(a) Except as provided in paragraphs (b) and (c) of this subsection, the county clerk shall mail by nonforwardable mail an official ballot with a return identification envelope and a secrecy envelope not sooner than the 20th day before the date of an election and not later than the 14th day before the date of the election, to each active elector of the electoral district as of the 21st day before the date of the election.

Pennsylvania

2018 dates:

<https://www.dos.pa.gov/VotingElections/CandidatesCommittees/RunningforOffice/Documents/2018%20important%20dates.pdf>

No in-person early voting or election day voter registration

Candidates must pay a filing fee and gather signatures to get on the primary ballot:

<https://www.dos.pa.gov/VotingElections/CandidatesCommittees/RunningforOffice/Documents/GENERAL%20INFORMATION%20ABOUT%20RUNNING%20FOR%20PUBLIC%20OFFICE%20Rev%201.12.18.pdf>

Closed primaries:

Primary elections are held in May

Primary elections in Pennsylvania are held on the third Tuesday of May in most years.

In presidential years, the primary election is held on the fourth Tuesday of April.

In a primary election, each political party selects its candidates to run for office during the general election. The candidates who get the highest number of votes in the primary election go on to run in the general election . Voters also vote for their party's officers during a primary election.

In Pennsylvania, you can only vote for the candidates in the same political party you have named in your voter registration. For example, if you registered to vote as a member of the Republican Party then you can vote in the Republican primary, but not the Democratic primary.

All voters can vote on:

- constitutional amendments,
- ballot questions, and
- any special election contests held at the same time as a primary election.

Pennsylvania state code:

http://www.legis.state.pa.us/cfdocs/legis/LI/Public/cons_index.cfm

§ 1503. Change of enrollment of political party.

By the deadline for registration, a registered elector who desires to change the enrollment of political designation or who, although registered, has not previously enrolled as a

member of a party may appear before a commissioner, registrar or clerk or may submit an application by mail under section 1324 (relating to application by mail) and state in a signed writing the political party in which the registered elector desires to be enrolled. If the signature of the elector is verified by comparison with the registered elector's signature as it appears on file with the commission, the commissioner, registrar or clerk shall make the change in its registration records. If supported by other evidence of identity, a mark may be made in lieu of a signature by a registered elector who is unable to write. The mark must be made in the presence of a witness who must sign the registration application.

<https://codes.findlaw.com/pa/title-25-ps-elections-electoral-districts/pa-st-sect-25-2812.html>

Pennsylvania Statutes Title 25 P.S. Elections & Electoral Districts § 2812. Qualifications of electors at primaries

The qualifications of electors entitled to vote at primaries shall be the same as the qualifications of electors entitled to vote at elections within the election district where the primary is held, provided that no elector who is not registered and enrolled as a member of a political party, in accordance with the provisions of this act, shall be permitted to vote the ballot of such party or any other party ballot at any primary.

Voter registration deadline:

§ 1326. Time.

(b) Deadlines.--In the administration of voter registration, each commission shall ensure that any applicant who is a qualified elector is registered to vote in an election when the applicant has met any of the following conditions:

(1) In the case of voter registration with a motor vehicle driver's license application under section 1323 (relating to application with driver's license application), if the valid voter registration application is submitted to the appropriate Department of Transportation office not later than 30 days before the date of the election.

(2) In the case of registration by mail under section 1324 (relating to application by mail), if the valid voter registration mail application is postmarked not later than the deadline to register for the ensuing election or, in the case of an illegible or missing postmark, it is received not later than five days after the deadline to register for the ensuing election.

(3) In the case of voter registration at a voter registration agency under section 1325 (relating to government agencies), if the valid voter registration application is accepted at the voter registration agency not later than 30 days before the date of the election.

(4) In any other case, if the valid voter registration application of the applicant is received by the appropriate commission not later than 30 days before the election.

Candidate filing:

Pennsylvania Statutes Title 25 P.S. Elections & Electoral Districts § 2873. Place and time of filing nomination petitions; filing fees

(d) All nomination petitions shall be filed on or before the tenth Tuesday prior to the primary.

Rhode Island

2018 dates: https://vote.sos.ri.gov/ovr/candidates/candidate_calendar
https://vote.sos.ri.gov/ovr/voters/voter_calendar

Candidates need to declare candidacy first and **then** file nominating papers (petitions)

The state party committees may endorse candidates, but they do not have formal nominating conventions to determine which candidates make it onto the primary ballot, so I code it “0” for conventions. See <https://vote.sos.ri.gov/ovr/candidates/endorsements>

Offers election-day voter registration for presidential elections only

Offers no-excuse mail ballot voting, but not in-person early voting

Semi-closed primary:

https://vote.sos.ri.gov/ovr/voters/voter_faq

If you are affiliated with a specific political party, you may only vote in that party’s primary. Unaffiliated, also known as independent, voters can vote in any party primary but, by casting a vote in a party primary, you automatically become affiliated with that party.

To return to an unaffiliated status, you may request a “disaffiliation form” from poll workers and fill it out before leaving the polling place. You will officially return to your unaffiliated status in 90 days.

Voters already affiliated with a political party must change their affiliation (or disaffiliate) 90 days in advance if they want to switch to the other party’s primary.

Rhode Island state code: <http://webserver.rilin.state.ri.us/Statutes/TITLE17/INDEX.HTM>

§ 17-15-21. Identification of party voters.

Before permitting any person to vote in a primary election, the warden or clerk and bipartisan pair of supervisors assigned by the warden shall ascertain from the voting record appearing on the certified voting list that the voter is not disqualified to vote by the provisions of § 17-15-24. The bipartisan pair of supervisors shall provide the voter with the corresponding computer ballot for the primary election in which the voter is eligible and desiring to vote. The warden shall take any steps that may be necessary to assure that each voter is given the computer ballot upon which the voter is eligible to vote.

History of Section.

(P.L. 1958, ch. 18, § 1; P.L. 1961, ch. 70, § 4; P.L. 1994, ch. 171, § 7; P.L. 1996, ch. 277, § 10; P.L. 1996, ch. 298, § 10; P.L. 2006, ch. 315, § 1; P.L. 2006, ch. 460, § 1.)

§ 17-15-24. Disqualification by activity in other party.

No person shall be entitled to vote in the primary election of any political party who has voted in a primary election as a member of any other political party and has not changed his or her party designation as provided in chapter 9.1 of this title or has designated his or her affiliation with any other political party, as set forth in chapter 9.1 of this title. No person shall be debarred from voting in a party primary solely because of that person's signing of nomination papers of a candidate to be voted for at any primary. A person having designated his or her party affiliation as set forth in chapter 9.1 of this title shall be deemed to have taken part in the primary as a member of that political party, and shall be debarred from voting in the primary as a member of the opposite political party until that person has changed his or her party affiliation as provided in chapter 9.1 of this title.

Voter registration deadline (30 days before the election):

§ 17-1-3. Eligibility to vote.

Every citizen of the United States who is at least eighteen (18) years of age, whose residence as defined in § 17-1-3.1 has been in this state for at least thirty (30) days, and in the town or city and voting district in which that person desires to cast his or her vote at least thirty (30) days next preceding the election, and who is registered in that city or town and voting district at least thirty (30) days next preceding any election, shall be entitled to vote in the election; provided, a person may vote in a primary election only if that person is eligible under the provisions of this title. A person who has not registered to vote, or whose registration has been canceled pursuant to § 17-10-1, may cast a vote for president and vice-president on election day at his or her city or town hall or at an alternate location designated by the board of canvassers, and approved by the board of elections, where such location is deemed necessary to better accommodate such voters. The casting of that vote shall commence the process of voter registration and subject the person voting to the requirements and penalties of this chapter.

History of Section.

(P.L. 1958, ch. 18, § 1; P.L. 1972, ch. 152, § 1; P.L. 1983, ch. 172, § 2; P.L. 1990, ch. 246, § 1; P.L. 2011, ch. 75, § 1; P.L. 2011, ch. 84, § 1.)

Candidate filing deadlines:

§ 17-14-1. Declarations of candidacy.

During the last consecutive Monday, Tuesday, and Wednesday in June in the even

years and during the thirty-ninth (39th) and fortieth (40th) days preceding a primary election for a special election, or for an election regularly scheduled for a time other than the biennial general statewide election, each voter desiring to be a candidate at the upcoming primary or an independent candidate on final nomination papers shall, on a form that shall be provided by the secretary of state, file a declaration of his or her candidacy not later than four (4:00) p.m. of the last day for the filing with the secretary of state for congressional and statewide general offices, or with the local board of the place of the candidate's voting residence for general assembly, or state committee or senatorial and representative district committee or with the appropriate local board for local officers.

§ 17-12-4. Endorsements by state committee.

The endorsement shall be filed with the secretary of state not later than four o'clock (4:00) p.m. on the second day after the final day for filing declarations of candidacy. In the event the state committee, or the executive committee or any duly selected subcommittee of the executive committee acting under delegated authority, fails or neglects to endorse, then all party candidates shall be issued nomination papers without endorsement.

§ 17-14-4. Preparation of nomination papers for candidates – Combination of endorsed candidates – Furnishing of nomination papers to candidates.

(a) Upon receipt of the declarations referred to in § 17-14-1, within two (2) business days of the final date for filing endorsements, the secretary of state for statewide candidates and the local board for general assembly and local candidates shall prepare nomination papers for each person who has filed a declaration of candidacy as provided in § 17-14-1.

Note that the final date for filing endorsements is 2 business days after the candidate-declaration-filing deadline, as far as I can tell.

§ 17-14-11. Checking and certification of nomination papers – Challenge.

Each nomination paper for party and independent candidates shall be submitted before four o'clock (4:00) p.m. on the sixtieth (60th) day before the primary to the local board of the city or town where the signers appear to be voters or, in the case of special elections, on the twenty-eighth (28th) day before the primary. Nomination papers for independent presidential candidates and presidential candidates of political parties, other than those defined in § 17-1-2(9), shall be filed not later than sixty (60) days prior to the general election.

South Carolina

2018 dates:

<https://www.scvotes.org/sites/default/files/2018%20Election%20Calendar%202017-11-21.pdf>

Candidate filing information:

<https://www.scvotes.org/candidate-information>

South Carolina state code: <https://www.scstatehouse.gov/code/title7.php>

Parties may choose to have a nominating convention instead of a primary election:

SECTION 7-11-30. Convention nomination of candidates.

(A) A party may choose to change from nomination of candidates by primary to a method to nominate candidates by convention for all offices including, but not limited to, Governor, Lieutenant Governor, United States Senator, United States House of Representatives, Circuit Solicitor, State Senator, and members of the State House of Representatives if:

(1) there is a three-fourths vote of the total membership of the convention to use the convention nomination process; and

(2) a majority of voters in that party's next primary election approve the use of the convention nomination process.

(B) A party may not choose to nominate by party convention for an election cycle in which the filing period for candidates has begun.

(C) A political party nominating candidates by party convention shall nominate the party candidates and make the nominations public not later than the time for certifying candidates to the authority charged by law with preparing ballots for the general or special election.

(D) Nothing in this section requires a political party that has nominated candidates by convention in the previous election cycle to hold a primary in order to continue using the convention method to nominate candidates.

HISTORY: 1962 Code Section 23-264; 1952 Code Section 23-264; 1950 (46) 2059; 1964 (53) 1744; 1966 (54) 2093; 1968 (55) 2316; 1972 (57) 2531; 1974 (58) 2124; 1984 Act No. 403, Section 1, eff May 24, 1984; 2013 Act No. 61, Section 3, eff June 25, 2013; 2014 Act No. 196 (S.815), Section 6, eff June 2, 2014.

No election day voter registration. In-person absentee voting is provided, but voters must be qualified to vote by absentee ballot (i.e., the state does not have no-excuse absentee voting).

Semi-open primary; all voters may choose which party's primary they want to participate in, but they must choose a ballot publicly

A candidate must win a majority of votes to win a primary; if no candidate wins a majority, the top two advance to the runoff primary

If you didn't vote in the primary, you may vote in either party's runoff primary.

Voters must sign the following oath when they vote in a primary:

SECTION 7-13-1010. Additional oath of voters.

The managers at each box shall require every voter to take the following additional oath and pledge: "I do solemnly swear or affirm that I am duly qualified to vote at this primary election and that I have not voted before at this primary election or in any other party's primary election or officially participated in the nominating convention for any vacancy for which this primary is being held."

HISTORY: 1962 Code Section 23-400.71; 1952 Code Section 23-379; 1950 (46) 2059; 1964 (53) 1809; 1966 (54) 2340; 1972 (57) 2441.

Separate ballots for each party:

SECTION 7-13-610. Ballot specifications; separate ballots for each party.

(A) The State Election Commission and the respective county boards of voter registration and elections shall prepare separate ballots for each political party holding a primary. The ballots for each party must contain in print only the names of the candidates who have filed to run in that particular party primary and must have a stub at the top perforated so as to be easily detached. On the stub must be printed "Official state (or county) Ballot, (name of party) Primary", the name of the county and the precinct, and the date of the primary. On the right side there must be a blank line under which must be printed "Initials of Issuing Officer". Stubs on ballots for each precinct must be numbered consecutively, beginning with "No. 1". The ballots must be furnished by the State Election Commission for all except members of the General Assembly, county officers, less than county officers, and circuit solicitors, for which the county board of voter registration and elections shall furnish the ballots. One ballot must contain the names of all persons in alphabetical order running for state and federal offices. The other ballot must contain, in alphabetical order, the names of all persons running for the General Assembly, county offices, less than county officers, and solicitors.

South Carolina allows fusion candidates:

<https://www.scvotes.org/candidates-representing-more-one-party-fusion-candidates>

Candidate filing:

SECTION 7-11-15. Qualifications to run as a candidate in general elections.

(A) In order to qualify as a candidate to run in the general election, all candidates seeking nomination by political party primary or political party convention must file a statement of intention of candidacy and party pledge and submit any filing fees between noon on March sixteenth and noon on March thirtieth as provided in this section. If March thirtieth is on a Saturday or Sunday, the time for filing extends to the next regular business day. For purposes of this section and Section 7-13-45, "next regular business day" means a day that is not a Saturday, Sunday, or legal holiday.

Voter registration deadline (30 days before the election):

SECTION 7-5-150. Closing registration books; registration of persons coming of age while books closed.

The registration books shall be closed thirty days before each election, but only as to that election or any second race or runoff resulting from that election, and shall remain closed until the election has taken place, anything in this article to the contrary notwithstanding; provided, that the registration books shall be closed thirty days before the June primary and shall remain closed until after the second primary and shall likewise be closed thirty days before the November general election.

South Dakota

2018 dates: <https://sdsos.gov/elections-voting/assets/2018ElectionCALENDAR.pdf>

Requirements for a runoff primary:

12-6-51.1. Percentage of votes required to run for Senate, House of Representatives, or Governor-Runoff election. **If no candidate for United States Senate, United States House of Representatives, or Governor in a race involving three or more candidates receives thirty-five percent of the votes of the candidate's party, a runoff election shall be held ten weeks from the date of the first primary election.** At the runoff election the only persons voted for shall be the two candidates receiving the highest number of votes at the first election. However, if there is a tie for second place in the first primary election and there is no tie for first place, all tying second place candidates shall be placed along with the first place candidate on the ballot for the runoff election. The runoff election shall be held at the same polling places, be conducted, returned, and canvassed and the results declared in the same manner as the first election. However, if the runoff election does not have a federal race, the electronic ballot marking system is not required, and hand-counted ballots may be used. The person receiving the highest number of votes at the runoff election is nominated as the candidate for the party.

Source: SL 1985, ch 110, § 1; SL 2008, ch 34, § 8; SL 2010, ch 74, § 11; SL 2013, ch 64, § 1; SL 2017, ch 69, § 5.

The state provides no-excuse absentee ballots, which may be cast in person at a County Auditor's office (I code this as early voting)

South Dakota state code:

http://sdlegislature.gov/Statutes/Codified_Laws/DisplayStatute.aspx?Type=Statute&Statute=12

Closed primaries, party choice:

12-6-26. Qualifications of voters at primary--Party registration requirements. No person may vote a party ballot at any primary election unless the person is registered as a member of that political party in the precinct in which the person seeks to vote. Any political party in its constitution or bylaws may allow for participation in the party's primary elections by any person who is registered to vote with no party affiliation. Any such change to the constitution or bylaws of a political party shall be filed pursuant to § 12-5-1.1 by January first of the year in the which the primary is conducted.

The Democratic Party allows unaffiliated voters as well as registered Democrats to participate in its primary. The Republican Party allows only registered Republican voters to participate. <https://sdsos.gov/elections-voting/voting/register-to-vote/>

Democrats opened their primary in 2010: https://siouxcityjournal.com/news/state-and-regional/south-dakota/article_53a3efe6-b8f3-11de-8194-001cc4c03286.html

State party conventions are for nominating candidates for certain offices only (lt. governor, attorney general, secretary of state, etc.):

12-5-21. Nomination of state candidates not voted on at primary--Presidential electors and national committee members. The state convention shall nominate candidates for lieutenant governor, attorney general, secretary of state, state auditor, state treasurer, commissioner of school and public lands, and public utilities commissioner and in the years when a President of the United States is to be elected, presidential electors and national committeeman and national committeewoman of the party.

Source: SL 1917, ch 234, § 30; RC 1919, § 7108; SL 1929, ch 118, § 55; SL 1933, ch 100; SL 1937, ch 120, § 5; SDC 1939, § 16.0240; SL 1939, ch 77; SL 1941, ch 78; SL 1951, ch 91; SL 1965, ch 86; SL 1974, ch 118, § 35.

12-5-22. Majority required for nomination by convention--Certification to secretary of state. Nominations by a state convention shall be made by a majority vote of the votes cast and shall be certified to the secretary of state by the officers of the convention, within three days of the close of the convention. No certification may be received by the secretary of state later than the second Tuesday in August.

Source: SL 1929, ch 118, § 55; SL 1933, ch 100; SL 1937, ch 120, § 5; SDC 1939, § 16.0240; SL 1939, ch 77; SL 1941, ch 78; SL 1951, ch 91; SL 1965, ch 86; SL 2007, ch 74, § 14.

Voter registration deadline (15 days before election):

12-4-5. Entry of applicants in registration file--Deadline--List for runoff election. The county auditor shall enter in the master registration file the names of all eligible persons who have had their completed applications for registration and mail registration cards received by any county auditor or any local, state, or federal agency responsible for conducting voter registration under this chapter no later than 5:00 p.m. local time fifteen days preceding the election.

Early/absentee voting (begins 46 days before election):

12-19-1.2. Time for absentee voting. Absentee voting shall begin neither earlier nor later than forty-six days prior to the election including any voter identified as being covered by the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff-1).

Candidate filing:

12-6-4. Petition required to place candidate's name on primary ballot--Time and place of filing. Except as provided by § 12-5-4 and as may be otherwise provided in chapter 12-9, no candidate for any office to be filled, or nomination to be made, at either or both the primary or general election, other than a presidential election, may have that person's name printed upon the official primary election ballot of that person's party, unless a petition has been filed on that person's behalf after December thirty-first and by the last Tuesday of March at five p.m. local time before the date of the primary election.

12-6-8. Time and manner of signing petition--Declaration of candidate--Verification--Signing for independent or nonpolitical candidate. No person may sign the nominating petition of a candidate before January first in the year in which the election is to be held, nor for whom the person is not entitled to vote, nor for a political candidate of a party of which the person is not a member, nor for more than the number of candidates required to be nominated for the same office. The signer or circulator shall add the signer's place of residence and the date of signing. The signer's post office

box number may be given in lieu of a street address if the signer lives within a municipality of the second or third class. A formal declaration of the candidate shall be signed by the candidate before the circulation of petitions. The signed declaration of the candidate shall accompany and be a part of the petition.

Tennessee

2018 dates: <https://sos-tn-gov-files.tnsosfiles.com/forms/Key%20Dates%20-%202018.pdf>

In-person early voting but no election day voter registration

Tennessee state code: <http://www.tsc.state.tn.us/Tennessee%20Code>

No partisan registration; open primaries, but voters must declare allegiance to the party (this is largely unenforceable)

2-7-115. Residence requirements -- Primary election voting requirements.

(a) A voter may vote only in the precinct where the voter resides and is registered, but if a registered voter has, at any time prior to voting, changed residence to another place inside the county, the voter must vote pursuant to the provisions of § 2-7-140. If a registered voter has, within ninety (90) days before a state primary or general election or federal primary or general election, changed residence to another place inside Tennessee but outside the county where the voter is registered, the voter may vote in the polling place where the voter is registered. If the voter has, within ninety (90) days before an election, changed name by marriage or otherwise, the voter may vote in the polling place where the voter is registered or is entitled to vote under § 2-7-140.

(b) A registered voter is entitled to vote in a primary election for offices for which the voter is qualified to vote at the polling place where the voter is registered if:

- (1) The voter is a bona fide member of and affiliated with the political party in whose primary the voter seeks to vote; or
- (2) At the time the voter seeks to vote, the voter declares allegiance to the political party in whose primary the voter seeks to vote and states that the voter intends to affiliate with that party.

Voter registration deadline:

2-2-109. Registration periods.

(a) A qualified voter may register or have the voter's registration altered at the commission office at any time the office is open, except that applications for registration shall not be processed for twenty-nine (29) days before an election, except as provided in subsection (b); provided, that a qualified voter may file a mail registration form by postmarking the registration form or submitting the registration form thirty (30) days before an election.

(b) When the thirtieth day before an election falls on a Saturday, Sunday, or legal holiday, applications for registration shall be accepted and processed the next business day following such Saturday, Sunday, or legal holiday. This extends the deadline for applications for registration completed at the county election commission office as well as the deadline for having a by-mail registration form postmarked.

Early voting period:

(a)

(1) A voter who desires to vote early shall go to the county election commission office or another polling place appropriately designated by the county election commission within the posted hours not more than twenty (20) days nor less than five (5) days before the day of the election. A voter desiring to vote in the early voting period shall sign an application for a ballot.

Candidate filing:

2-5-101. Time for filing -- Required signatures -- Failure to file -- Filing office hours -- Prohibited acts -- Death or late withdrawal of candidates.

(a) Candidates shall qualify by filing all nominating petitions, including any duplicate nominating petitions, by the deadlines set out in the schedule in this section. The qualifying deadline for any office not included in this section shall be twelve o'clock (12:00) noon, prevailing time, on the third Thursday in the third calendar month before the election.

(1) Independent and primary candidates for any office to be filled at the regular November election for which a primary is required to be held at the regular August election shall qualify by filing such candidates' nominating petitions no later than twelve o'clock (12:00) noon, prevailing time, on the first Thursday in April.

2-5-102. Nominating petitions -- Form -- Requirements.

(5) Nominating petitions shall not be issued by any administrator, deputy, county election commissioner or employee of the coordinator's office more than ninety (90) days before the qualifying deadline for the office for which the petition is issued. In any year where reapportionment must occur, the coordinator of elections shall determine the earliest date on which petitions may be issued.

Note: new start date for circulating nominating petitions, effective Jan. 2019

(5) Nominating petitions must not be issued by any administrator, deputy, county election commissioner, or employee of the coordinator's office **more than sixty (60) days** before the qualifying deadline for the office for which the petition is issued; provided, that nominating petitions for the offices of President of the United States and delegates to the national conventions of all statewide political parties may be issued only by an employee of the coordinator's office and must not be issued more than ninety (90) days before the applicable qualifying deadline for the respective office. During any year in which reapportionment must occur, the coordinator of elections shall determine the earliest date on which petitions may be issued.

Texas

2018 dates: <https://www.sos.state.tx.us/elections/voter/2018-important-election-dates.shtml>

Candidates may gather signatures and file a petition instead of paying the filing fee.

In-person early voting provided, but not election day voter registration

Texas state code: <https://statutes.capitol.texas.gov/>

Open primary (no partisan registration); pledge on ballot:

Sec. 172.085. NAME OF PARTY ON BALLOT. The name of the political party holding a primary election shall be placed at the top of the primary ballot.

Acts 1985, 69th Leg., ch. 211, Sec. 1, eff. Jan. 1, 1986.

Sec. 172.086. PLEDGE ON BALLOT. The following pledge shall be placed on the primary election ballot above the listing of candidates' names: "I am a (insert appropriate political party) and understand that I am ineligible to vote or participate in another political party's primary election or convention during this voting year."

Acts 1985, 69th Leg., ch. 211, Sec. 1, eff. Jan. 1, 1986.

Runoff primary:

Sec. 172.003. MAJORITY VOTE REQUIRED. Except as otherwise provided by this code, to receive a political party's nomination, a candidate in a primary election must receive a majority of the total number of votes received by all the candidates for the nomination.

Acts 1985, 69th Leg., ch. 211, Sec. 1, eff. Jan. 1, 1986.

Sec. 172.004. RUNOFF PRIMARY. (a) If no candidate for nomination to a particular office receives the vote required for

nomination in the general primary election, a runoff primary election shall be held to determine the nomination.

(b) The candidates in a runoff for a nomination shall be determined and a tie vote in a runoff resolved as provided by Subchapter B, Chapter [2](#), for a runoff for an election to office.

Acts 1985, 69th Leg., ch. 211, Sec. 1, eff. Jan. 1, 1986.

Presidential primary ballot:

Sec. 191.004. PRESIDENTIAL PRIMARY BALLOT. (a) A single ballot shall be used for the presidential primary election and general primary election. The secretary of state shall prescribe the form of the ballot, which must accommodate the regular form for the general primary election to the extent practicable.

(b) The names of the presidential candidates shall be printed as the first race on the ballot under the heading "Preference For Presidential Nominee" followed by the instruction, "You may vote for one presidential candidate whose name appears on the ballot by placing an 'X' in the square beside the candidate's name." If party rules provide for voting for an uncommitted status, the instruction shall read, "You may vote for one presidential candidate whose name appears on the ballot by placing an 'X' in the square beside the candidate's name or you may vote as uncommitted by placing an 'X' in the square beside 'Uncommitted.' Make only one choice." The instruction shall be changed as appropriate to accommodate the form of a voting system ballot.

Candidate filing:

Sec. 172.021. APPLICATION REQUIRED. (a) To be entitled to a place on the general primary election ballot, a candidate must make an application for a place on the ballot.

(b) An application must, in addition to complying with Section [141.031](#), be accompanied by the appropriate filing fee or a petition in lieu of the filing fee that satisfies the requirements prescribed by Section [141.062](#).

Sec. 172.023. REGULAR FILING PERIOD. (a) An application for a place on the general primary election ballot must be filed not later than 6 p.m. on the second Monday in December of an odd-numbered year unless the filing deadline is extended under Subchapter C.

Early voting period:

Sec. 85.001. EARLY VOTING PERIOD. (a) The period for early voting by personal appearance begins on the 17th day before election day and continues through the fourth day before election day, except as otherwise provided by this section.

(b) For a special runoff election for the office of state senator or state representative or for a runoff primary election, the period begins on the 10th day before election day.

(c) If the date prescribed by Subsection (a) or (b) for beginning the period is a Saturday, Sunday, or legal state holiday, the early voting period begins on the next regular business day.

Voter registration deadline (30 days before election):

Sec. 13.143. EFFECTIVE DATE OF REGISTRATION; PERIOD OF EFFECTIVENESS. (a) Except as provided by Subsections (b) and (e), if an applicant's registration application is approved, the registration becomes effective on the 30th day after the date the application is submitted to the registrar or on the date the applicant becomes 18 years of age, whichever is later.

(e) If the 30th day before the date of an election is a Saturday, Sunday, or legal state or national holiday, an application is considered to be timely if it is submitted to the registrar on or before the next regular business day.

Utah

2018 dates, plus information about how to become a candidate:

<https://elections.utah.gov/Media/Default/2018%20Election/2018%20Candidate%20Manual.pdf>

Convention + primary election if needed: a candidate who wins 60% of the delegate vote at convention wins the party's nomination and no primary is needed. A candidate may also gather enough petition signatures to bypass the party's convention (see section 20A-9-408). Or you can do both (convention and gather signatures; see Mitt Romney in 2018 UT Senate primary). Gathering signatures became an option with SB54, signed in March 2014 and effective beginning Jan. 1, 2015:

<https://le.utah.gov/~2014/bills/static/SB0054.html>

There was not a petition option for candidates before 2016.

Utah state code:

https://le.utah.gov/xcode/Title20A/20A.html?v=C20A_1800010118000101

Early voting period:

20A-3-601. Early voting.

- (2) Except as provided in Section 20A-1-308 or Subsection (3), the early voting period shall:
- (a) begin on the date that is 14 days before the date of the election; and
 - (b) continue through the Friday before the election if the election date is a Tuesday.

Changing party affiliation:

20A-2-107. Designating or changing party affiliation -- Times permitted.

- (2) (a) Any registered voter may designate or change the voter's political party affiliation by complying with the procedures and requirements of this Subsection (2).
- (b) A registered voter may designate or change the voter's political party affiliation by filing a signed form with the county clerk that identifies the registered political party with which the voter chooses to affiliate, during any period except the following:
- (i) the period beginning on the day after the voter registration deadline and continuing through the date of the regular primary election; and
 - (ii) the period beginning on the day after the voter registration deadline and continuing through the date of the Western States Presidential Primary.

Unaffiliated voters may affiliate and choose a party's ballot at the polls:

20A-2-107.5. Designating or changing party affiliation -- Regular primary election and Western States Presidential Primary.

- (1) At any regular primary election or the Western States Presidential Primary:
 - (a) each county clerk shall provide change of party affiliation forms to the poll workers for each voting precinct within the county; and
 - (b) any registered voter who is classified as "unaffiliated" may affiliate with a political party by completing the form and giving it to the poll worker.
- (2) An unaffiliated voter who affiliates with a political party as provided in Subsection (1)(b) may vote in that party's primary election.

2015 federal court decision: <https://www.deseretnews.com/article/865640612/Judge-State-cant-force-political-parties-to-hold-open-primaries.html>

This is why the Utah GOP is allowed to have closed primaries, even though the law says that unaffiliated voters can vote in a party's primary. However, it sounds like in 2018 unaffiliated voters **were** allowed to vote in the Republican primary (see <https://www.deseretnews.com/article/900022720/primary-election-day-is-tuesday-but-ballots-must-be-postmarked-by-monday.html>). And it sounds like **any** registered voter, not just unaffiliated voters, could participate in the Democratic primary. Rule change?

Oh! Unaffiliated voters COULD participate in the Republican primary only if they formally affiliated with the party (on election day).

In 2018, most of Utah's counties (27 of 29) held mostly by-mail primary elections (voting in person was still an option).

The voter registration deadline is 30 days before the election if a person registers by mail. But a voter can register in person at the county clerk's office 15 to 29 days before the election and still be allowed to vote on election day. If they register in person 7 days before the election, they are still allowed to vote, but registering "late" means they have to vote on election day (or cast a provisional ballot if they want to vote early). If they register during the 6 days before the election, they can still vote but they have to cast a provisional ballot. I code the voter registration deadline as 7 days before the election.

20A-2-102.5. Voter registration deadline.

- (1) Except as provided in Section [20A-2-201](#), [20A-2-204](#), [20A-2-206](#), [20A-2-207](#), or [20A-4-107](#), or [Chapter 16, Uniform Military and Overseas Voters Act](#), a person who fails to submit a correctly completed voter registration form on or before the voter registration deadline may not vote in the election.
- (2) The voter registration deadline is 30 calendar days before the date of the election. See also: **20A-2-201. Registering to vote at office of county clerk.**

The voter registration deadlines also apply to changes in party affiliation (if you are already affiliated with a party).

HB218, passed by the legislature and signed by the governor in March 2018, included provisions allowing eligible voters to register on election day, mandated early in-person voting periods, and a somewhat restricted version of automatic voter registration:

<https://le.utah.gov/~2018/bills/static/HB0218.html>

<https://www.sltrib.com/news/politics/2018/03/08/do-you-want-to-register-to-vote-utah-enacts-widespread-election-law-changes-including-election-day-registration-here-are-all-the-changes/>

Party choice:

20A-9-403. Regular primary elections.

- (2) (a) Each registered political party, in a statement filed with the lieutenant governor, shall:
- (i) either declare the registered political party's intent to participate in the next regular primary election or declare that the registered political party chooses not to have the names of the registered political party's candidates for elective office featured on the ballot at the next regular general election; and
 - (ii) if the registered political party participates in the upcoming regular primary election, identify one or more registered political parties whose members may vote for the registered political party's candidates and whether individuals identified as unaffiliated with a political party may vote for the registered political party's candidates.

Utah GOP bylaws:

<http://utah.gop/wp-content/uploads/2018/03/UTGOP-Bylaws-2-24-18.pdf>

The party rule on unaffiliated voters is extremely confusing. The bylaws (dated 2/24/18) say this:

7.0 CONVENTIONS AND ELECTIONS

C. Eligibility for the Republican Presidential Preference Vote. Only voters who are registered Republicans may vote in the Republican Presidential Preference Vote. The Republican Presidential Preference Vote shall be open to registered Republicans, and unaffiliated voters requesting a Republican ballot who affiliate at the polls as a Republican.

But the party's constitution (last amended 5/20/17) says this!:

Section 5. Primary Election

B. Only voters who are registered Republicans may vote in a Republican primary election.

GOP constitution here:

https://drive.google.com/file/d/1CqLTpBbJowjOxpe1ZOWTXClniCgs_McD/view

Utah Democratic Party bylaws:

<https://drive.google.com/file/d/0B5B1xwRjWswZWHMyLVd2ZE9CVm8/view>

ARTICLE XI: FULL PARTICIPATION

Section 2. Residency and Age Requirements for Participation. Any person who will be eligible to vote in Utah in the next general election and resides in the political subdivision for which the political activity is conducted may be eligible to participate, except as otherwise provided herein and in the Constitution, in precinct caucuses, state and County Conventions, Democratic Party primary elections, state and County central and Executive Committees, and state and County party office.

I code the Republicans as semi-closed because that's what the law says.

GOP 2016 caucus rules: <http://utah.gop/wp-content/uploads/2016-Caucus-Rules-FINAL.pdf>

UT Democratic Party 2016 caucus rules: <https://utahpolicy.com/index.php/features/featured-articles/5877-utah-democrats-adopt-2016-national-delegate-selection-plan>

Candidate filing/petition deadlines:

20A-9-408. Signature-gathering process to seek the nomination of a qualified political party.

- (1) This section describes the requirements for a member of a qualified political party who is seeking the nomination of the qualified political party for an elective office through the signature-gathering process described in this section.
- (2) Notwithstanding Subsection [20A-9-201\(7\)\(a\)](#), the form of the declaration of candidacy for a member of a qualified political party who is nominated by, or who is seeking the nomination of, the qualified political party under this section shall be substantially as described in Section [20A-9-408.5](#).
- (3) Notwithstanding Subsection [20A-9-202\(1\)\(a\)](#), and except as provided in Subsection [20A-9-202\(4\)](#), a member of a qualified political party who, under this section, is seeking the nomination of the qualified political party for an elective office that is to be filled at the next general election shall:
 - (a) within the period beginning on January 1 before the next regular general election and ending on the third Thursday in March of the same year, and before gathering signatures under this section, file with the filing officer on a form approved by the lieutenant governor a notice of intent to gather signatures for candidacy that includes:
 - (i) the name of the member who will attempt to become a candidate for a registered political party under this section;
 - (ii) the name of the registered political party for which the member is seeking nomination;
 - (iii) the office for which the member is seeking to become a candidate;
 - (iv) the address and telephone number of the member; and
 - (v) other information required by the lieutenant governor;

- (b) except as provided in Subsection 20A-9-202(1)(b), file a declaration of candidacy, in person, with the filing officer on or after the second Friday in March and before 5 p.m. on the third Thursday in March before the next regular general election; and
 - (c) pay the filing fee.
- (8) A member of a qualified political party may seek the nomination of the qualified political party for an elective office by:
- (a) complying with the requirements described in this section; and
 - (b) collecting signatures, on a form approved by the lieutenant governor, during the period beginning on January 1 of an even-numbered year and ending 14 days before the day on which the qualified political party's convention for the office is held, in the following amounts

20A-9-407. Convention process to seek the nomination of a qualified political party.

- (3) Notwithstanding Subsection 20A-9-202(1)(a), and except as provided in Subsection 20A-9-202(4), a member of a qualified political party who, under this section, is seeking the nomination of the qualified political party for an elective office that is to be filled at the next general election, shall:
- (a) except as provided in Subsection 20A-9-202(1)(b), file a declaration of candidacy in person with the filing officer on or after the second Friday in March and before 5 p.m. on the third Thursday in March before the next regular general election; and
 - (b) pay the filing fee.

<http://utahdatapoints.com/2012/12/party-identification-party-registration-and-unaffiliated-voters/>

Vermont

2018 dates and deadlines: <https://www.sec.state.vt.us/elections/candidates.aspx>

Vermont provides early (no-excuse absentee) in-person voting and election-day voter registration. Early/absentee voters may cast their ballots in person at the town clerk's office. Ballots are available no later than 45 days before the election.

§ 2479. Manner of distribution

Not later than 45 days before the election, the secretary of state shall furnish the prepared ballots to the clerk of each town. Ballots shall be sent in securely fastened packages by mail or in some other safe manner, with marks on the outside clearly designating the polling place for which they are intended and the number of ballots enclosed. The town clerk shall store the ballots, except for ballots used as early or absentee voter or sample ballots, in a secure place until the day of the election, at which time the town clerk shall deliver them in sufficient quantities to the presiding officer in each polling place, together with any ballots prepared by the town clerk. (Added 1977, No. 269 (Adj. Sess.), § 1; amended 1985, No. 197 (Adj. Sess.), § 3; 2001, No. 6, § 12(b), eff. April 10, 2001; 2001, No. 83 (Adj. Sess.), § 5; 2007, No. 54, § 7; 2009, No. 73 (Adj. Sess.), § 9, eff. April 7, 2010.)

Election-day voter registration was signed into law in 2015 and went into effect in 2017. Prior to that, the voter registration deadline was 6 days before the election (the Wednesday before election day).

§ 2144a. Registration

A person who desires to register to vote may apply in any of the following ways:

(1) Simultaneously with his or her application for, or renewal of, a motor vehicle driver's license or nondriver identification card as provided in section 2145a of this chapter.

(2) By completing a voter registration application at a voter registration agency.

(3) By delivering, during regular hours, or mailing a completed application form to the office of the clerk of the town in which the applicant claims to be a resident.

(4) By completing a voter registration application and delivering it to the presiding officer before the close of the polls at the polling place of the town in which the person seeks to register. In towns with more than one polling place, the polling place shall be that which covers the area in which the person resides. (Added 1997, No. 47, § 3; amended 2015, No. 44, § 3, eff. Jan. 1, 2017; 2015, No. 80 (Adj. Sess.), § 4, eff. July 1, 2017.)

Vermont state code: <https://legislature.vermont.gov/statutes/title/17>

Open primaries, no partisan registration, private choice of which party's primary to vote in:

§ 2363. Voter's choice of party

(a) A voter shall vote for the candidates of one party only. A person voting at the primary shall not be required to indicate his or her party choice to any election official.

§ 2362. Primary ballots

(a) A separate ballot for each major political party shall be printed and furnished to the towns by the Secretary of State and shall contain the names of all candidates for nomination by that party at the primary. Ballots shall be printed on index stock and configured to be readable by vote tabulators. Ballots shall be printed in substantially the following form:

OFFICIAL VERMONT PRIMARY ELECTION BALLOT
VOTE ON ONE PARTY BALLOT ONLY AND PLACE IN BALLOT
BOX OR VOTE TABULATOR
ALL OTHER PARTY BALLOTS MUST BE PLACED IN UNVOTED BALLOT
BOX

Candidate filing:

§ 2356. Time for filing petitions

(a) Primary petitions for major party candidates shall be filed not earlier than the fourth Monday in April and not later than 5:00 p.m. on the fourth

Thursday after the first Monday in May preceding the primary election prescribed by section 2351 of this chapter, and not later than 5:00 p.m. of the 62nd day prior to the day of a special primary election.

Virginia

2018 dates: <https://www.elections.virginia.gov/media/calendars-schedules/election-deadlines.html>

Virginia holds off-year elections for governor, house of delegates, and state senate. Gubernatorial elections are held every 4 years, in the year after a presidential election (e.g., 2017, 2013, etc.). Lower-house members serve 2-year terms and state senators serve 4-year terms.

No election day voter registration or in-person early voting. Voters may cast absentee ballots early and in person, but absentee voting requires an excuse.

Voter registration deadline:

§ 24.2-416. Closing registration records before elections.

In any county, city, or town in which an election is being held, the registration records shall be closed for the purpose of registering voters on the election day and during the period in advance of the election as provided in this section. The registration records shall be closed during the twenty-eight days before a primary or general election. Beginning January 1, 2010, the registration records shall be closed during the 21 days before a primary or general election. If the registration records have not been closed previously for a primary or general election, they shall be closed during the six days before a special election called by the Governor, Speaker of the House of Delegates, or President pro tempore of the Senate, or pursuant to rule or resolution of either house of the General Assembly and during the thirteen days before any other special election.

Virginia state code: <https://law.lis.virginia.gov/vacode/title24.2/>

Parties may choose to nominate candidates by convention instead of a primary:

§ 24.2-509. Party to determine method of nominating its candidates for office; exceptions.

A. The duly constituted authorities of the state political party shall have the right to determine the method by which a party nomination for a member of the United States Senate or for any statewide office shall be made. The duly constituted authorities of the political party **for the district, county, city, or town in which any other office is to be filled** shall have the right to determine the method by which a party nomination for that office shall be made.

§ 24.2-510. Deadlines for parties to nominate by methods other than primary.

For any office, nominations by political parties by methods other than a primary shall be made and completed in the manner prescribed by law according to the following schedule:

1. For a general election in November, by 7:00 p.m. on the second Tuesday in June

§ 24.2-526. Primary not to be held when less than two candidates declare.

Whenever within the time prescribed by this article there is only one declaration of candidacy in a political party for the nomination for any office, the person filing the declaration shall be declared the nominee of the party for the office for which he has announced his candidacy and his name shall not be printed on the ballot for the primary. Whenever within the time prescribed by this article there is no declaration of candidacy in a political party for the nomination for any office, the appropriate committee of the party may provide for an alternative method of nominating a candidate.

A petition is not required if a candidate is participating in a non-primary party nomination process. Section pertaining to petition requirements:

<https://law.lis.virginia.gov/vacode/title24.2/chapter5/section24.2-521/>

2/27/18 was the deadline for party chairs to request a primary as the party's method of nomination for an office elected in the November general election

In 2018, the parties in two congressional districts chose to nominate by convention rather than primary election: Dems in CD5, Reps in CD6

Open primaries, public choice of ballot:

§ 24.2-530. Who may vote in primary.

All persons qualified to vote, pursuant to §§ [24.2-400](#) through [24.2-403](#), may vote at the primary. No person shall vote for the candidates of more than one party.

§ 24.2-529. Primary ballots.

The primary ballots for the several parties taking part in a primary shall be composed, arranged, printed, delivered, and provided in the same manner as the general election ballots except that at the top of each official primary ballot shall be printed in plain black type the name of the political party and the words "Primary Election." The names of the candidates for various offices shall appear on the ballot in an order determined by the priority of the time of filing for the office. In the event two or more candidates file simultaneously, the order of filing shall then be determined by lot by the electoral board or the State Board as in the case of a tie vote for the office. No write-in shall be permitted on ballots in primary elections.

Code 1950, § 24-376; 1970, c. 462, § 24.1-188; 1971, Ex. Sess., c. 119; 1993, c. 641.

Candidate filing:

§ 24.2-522. When and to whom filings to be made.

A. Declarations of candidacy, petitions, and receipts indicating the payment of filing fees shall be filed not earlier than noon of the ninety-second day and not later than 5:00 p.m. of the seventy-fifth day before the primary.

**§ 24.2-521. Petition required to accompany declaration;
number of signatures required.**

A candidate for nomination by primary for any office shall be required to file with his declaration of candidacy a petition for his name to be printed on the official primary ballot, on a form prescribed by the State Board, signed by the number of qualified voters specified in this section after January 1 of the year in which the election is held or before or after said date in the case of a March primary, and listing the residence address of each such voter.

Washington

2018 dates: https://www.sos.wa.gov/elections/calendar_list.aspx?y=2018

No election day voter registration (but will have it effective June 30, 2019). Voters in Washington vote by mail:

https://www.sos.wa.gov/elections/faq_vote_by_mail.aspx

RCW [29A.08.140](#)

Voter registration deadlines. (*Effective until June 30, 2019.*)

(1) In order to vote in any primary, special election, or general election, a person who is not registered to vote in Washington must:

(a) Submit a registration application no later than twenty-nine days before the day of the primary, special election, or general election; or

(b) Register in person at the county auditor's office in his or her county of residence no later than eight days before the day of the primary, special election, or general election.

(2) A person who is already registered to vote in Washington may update his or her registration no later than twenty-nine days before the day of the primary, special election, or general election to be in effect for that primary, special election, or general election. A registered voter who fails to transfer his or her residential address by this deadline may vote according to his or her previous registration address.

Ballots are mailed at least 18 days before the election. Voters can also cast their ballots in person at voting centers during this 18-day period.

RCW [29A.40.070](#)

Date ballots mailed—Replacement ballots.

(1) Except where a recount or litigation is pending, the county auditor must mail ballots to each voter at least eighteen days before each primary or election, and as soon as possible for all subsequent registration changes.

Candidates may submit petition signatures in lieu of paying the filing fee.

No partisan registration. Washington uses a Top Two primary:

<https://www.sos.wa.gov/elections/top2primaryfaq.aspx>

Voters vote for any (one) candidate running in each race. The two candidates who win the most votes in the primary advance to the general election.

Washington state code: <http://apps.leg.wa.gov/rcw/default.aspx?Cite=29A>

RCW [29A.52.112](#) Top two candidates—Single county partisan office—Party or independent preference.

(1) A primary is a first stage in the public process by which voters elect candidates to public office.

(2) Whenever candidates for a partisan office are to be elected, the general election must be preceded by a primary conducted under this chapter. Based upon votes cast at the primary, the top two candidates will be certified as qualified to appear on the general election ballot, unless only one candidate qualifies as provided in *RCW [29A.36.170](#).

(3) No primary may be held for any single county partisan office to fill an unexpired term if, after the last day allowed for candidates to withdraw, only one candidate has filed for the position.

(4) For partisan office, if a candidate has expressed a party preference on the declaration of candidacy, then that preference will be shown after the name of the candidate on the primary and general election ballots as set forth in rules of the secretary of state. A candidate may choose to express no party preference. Any party preferences are shown for the information of voters only and may in no way limit the options available to voters.

[[2014 c 7 § 1](#); [2013 c 11 § 50](#); 2005 c 2 § 7 (Initiative Measure No. 872, approved November 2, 2004).]

RCW [29A.08.161](#) No link between voter and ballot choice.

No record may be created or maintained by a state or local governmental agency or a political organization that identifies a voter with the information marked on the voter's ballot, including the choice that a voter makes on a partisan primary ballot regarding political party affiliation.

Candidate filing:

RCW [29A.24.050](#)

Declaration of candidacy—Certain offices, when filed.

Except where otherwise provided by this title, declarations of candidacy for the following offices shall be filed during regular business hours with the filing officer beginning the Monday two weeks before Memorial day and ending the following Friday in the year in which the office is scheduled to be voted upon:

(1) Offices that are scheduled to be voted upon for full terms or both full terms and short terms at, or in conjunction with, a state general election; and

(2) Offices where a vacancy, other than a short term, exists that has not been filled by election and for which an election to fill the vacancy is required in conjunction with the next state general election.

This section supersedes all other statutes that provide for a different filing period for these offices.

In 2016, the WA Dems held an open caucus for president along with a nonbinding/advisory primary election, while the WA Reps held a “closed” primary election (voters had to sign a party declaration and return it with their ballots). Both primary elections were held on 5/24/16. The Republicans had caucuses too, but chose to allocate all of their delegates based on the results of the primary election.

In 2012, Democrats held open caucuses, while Republicans held “closed” caucuses (voters had to sign a form).

West Virginia

2018 dates:

<https://sos.wv.gov/elections/Documents/WEST%20VIRGINIA%20ELECTION%20CALENDAR%202018.pdf>

Candidates may gather petition signatures in lieu of paying the filing fee if they cannot afford it.

Offers early in-person voting but not election day voter registration

West Virginia state code:

<http://www.wvlegislature.gov/WVCODE/code.cfm?chap=03&art=1>

Closed primaries by law, but both parties allow unaffiliated voters to participate; voters must change their affiliation by the registration deadline (21 days before the primary)—this rule applied to the 2016 presidential primary as well:

§3-1-35. Ballots to be furnished voters.

In general and special elections the ballots for all voters of an election precinct shall be the same. In primary elections the ballot of the voter's political party at that election in that precinct shall be furnished to the voter together with separate ballots, if any, on any nonpartisan candidates and any public questions submitted to the voters generally at such primary election. In the event the voter is lawfully registered as "independent" or as an adherent of a political party not appearing on any primary election ballot to be voted in his precinct, he shall not, in a primary election, be given or entitled to vote any party ballot but shall be furnished any separate ballots to be voted thereat on nonpartisan candidates and public questions.

See voter FAQs on Secretary of State's website:

<https://sos.wv.gov/elections/Pages/VoterFAQs.aspx>

As a voter, your political party makes a difference when you vote in the primary election because it determines which ballot you may receive. If you are registered with one of the four recognized political parties (Democratic, Libertarian, Mountain, or Republican), you may only vote that party's ballot or the non-partisan ballot. If you are registered with any other party or with no party, you may ask the poll worker for one of the recognized party's ballots, or they will give you the non-partisan ballot.

You may change your political party on your voter registration at anytime, but keep in mind that your political party matters at the primary election. For your new party to apply at the next primary election, you must make your change at least 21 days before the election. If you make the change later, it will apply at the next primary election.

§3-2-6. Time of registration application before an election.

(a) Voter registration before an election closes on the twenty-first day before the election or on the first day thereafter which is not a Saturday, Sunday or legal holiday.

(b) An application for voter registration, transfer of registration, change of name or change of political party affiliation submitted by an eligible voter by the close of voter registration is effective for any subsequent primary, general or special election if the following conditions are met...

Candidate filing:

§3-5-7. Filing announcements of candidacies; requirements; withdrawal of candidates when section applicable.

(a) Any person who is eligible and seeks to hold an office or political party position to be filled by election in any primary or general election held under the provisions of this chapter shall file a certificate of announcement declaring his or her candidacy for the nomination or election to the office.

(c) The certificate of announcement shall be filed with the proper officer not earlier than the second Monday in January before the primary election day and not later than the last Saturday in January before the primary election day and must be received before midnight, eastern standard time, of that day or, if mailed, shall be postmarked by the United States Postal Service before that hour. This includes the offices of justice of the Supreme Court of Appeals, circuit court judge, family court judge and magistrate, which are to be filled on a nonpartisan and division basis at the primary election.

Early voting:

§3-3-3. Early voting in person.

(a) The voting period for early in-person voting is to be conducted during regular business hours beginning on the thirteenth day before the election and continuing through the third day

before the election. Additionally, early in-person voting is to be available from 9:00 a.m. to 5:00 p.m. on Saturdays during the early voting period.

Wisconsin

2018 dates:

https://elections.wi.gov/sites/default/files/publication/65/2018_calendar_of_election_events_word_rev_9_19_1_95968.pdf

Provides no-excuse absentee voting, and voters may cast their absentee ballots in person at the Municipal Clerk's Office. Also provides election day voter registration.

Absentee voting rules: <https://elections.wi.gov/voters/absentee>

Early voting dates vary:

When can I Vote an In-Person Absentee Ballot?

Each city, village and town in Wisconsin is responsible for setting the dates and hours of in-person absentee voting for their municipality. To find the dates and hours for in-person absentee voting where you live, **contact your municipal clerk**.

Wisconsin state code: <https://docs.legis.wisconsin.gov/statutes/prefaces/toc>

Open primaries, no partisan registration, with private choice:

5.62 Partisan primary ballots.

(1)

(a) At the partisan primary, the following ballot shall be provided for the nomination of candidates of recognized political parties for national, state and county offices and independent candidates for state office in each ward, in the same form as prescribed by the commission under s. [7.08 \(1\) \(a\)](#), except as authorized in s. [5.655](#). The ballots shall be made up of the several party tickets with each party entitled to participate in the primary under par. (b) or sub. (2) having its own ballot, except as authorized in s. [5.655](#). The ballots shall be secured together at the bottom. The party ballot of the party receiving the most votes for president or governor at the last general election shall be on top with the other parties arranged in descending order based on their vote for president or governor at the last general election. The ballots of parties qualifying under sub. (2) shall be placed after the parties qualifying under par. (b), in the same order in which the parties filed petitions with the commission. Any ballot required under par. (b) 2. shall be placed next in order. At polling places where voting machines are used, each party shall be represented in one or more separate columns or rows on the ballot. At polling places where an electronic voting system is used other than an electronic voting machine, each party may be represented in separate columns or rows on the ballot.

6.80 Mechanics of voting.

(2) METHOD OF VOTING.

(am) In partisan primaries, an elector may vote for a person as the candidate of the party of the elector's choice, if that person's name does not appear on the official ballot of that party, by writing in the name of the person in the space provided on the ballot or the ballot provided for that purpose, or where voting machines are used, in the irregular ballot device, designating the party for which the elector desires such person to be the nominee.

5.35 Polling place requirements.

(6) POSTING REQUIREMENTS.

5. Any other voting information directed to be posted by the commission.

(b) At each polling place in the state where a consolidated ballot under s. [5.655](#) is used or an electronic voting system is utilized at a partisan primary election incorporating a ballot upon which electors may mark votes for candidates of more than one recognized political party, the municipal clerk or board of election commissioners shall prominently post a sign in the form prescribed by the commission warning electors in substance that on any ballot with votes cast for candidates of more than one recognized political party, no votes cast for any candidates for partisan office will be counted unless a preference for a party is made. If the elector designates a preference, only votes cast for candidates of that preference will be counted.

Candidate filing (includes petition signatures):

(1) Nomination papers may be circulated no sooner than April 15 preceding the general election and may be filed no later than 5 p.m. on June 1 preceding the partisan primary, except as authorized in this subsection.

Voter registration:

6.28 Where and when to register.

(1) REGISTRATION DEADLINE; LOCATIONS.

(a) Except as authorized in ss. [6.29](#), [6.55 \(2\)](#), and [6.86 \(3\) \(a\) 2.](#), registration in person for an election closes at 5 p.m. on the 3rd Wednesday preceding the election. Registrations made by mail under s. [6.30 \(4\)](#) must be delivered to the office of the municipal clerk or postmarked no later than the 3rd Wednesday preceding the election. Electronic registration under s. [6.30 \(5\)](#) for an election closes at 11:59 p.m. on the 3rd Wednesday preceding the election. The municipal clerk or board of election commissioners may assign election registration officials to register electors who apply for an in-person absentee ballot under s. [6.86 \(1\) \(b\)](#) or to register electors at a polling place on election day or at a residential care facility, as defined under s. [6.875 \(1\) \(bm\)](#).

(b) All applications for registration corrections and additions may be made throughout the year at the office of the city board of election commissioners, at the office of the municipal clerk, at the office of the county clerk, or at other locations provided by the board of election commissioners or the common council in cities over 500,000 population or by either or both the municipal clerk, or the common council, village or town board in all other municipalities. An elector who wishes to obtain a confidential listing under s. [6.47 \(2\)](#) shall register at the office of the municipal clerk of the municipality where the elector resides.

(4) AT THE OFFICE OF THE COUNTY CLERK. Any person shall be given an opportunity to register to vote at the office of the county clerk for the county in which the person's residence is located. An applicant may complete the required registration form under s. [6.33](#). Unless the county clerk performs registration functions for the municipality where the elector resides under s. [6.33 \(5\) \(b\)](#), the county clerk shall forward the form submitted by an elector to the appropriate municipal clerk, or to the board of election commissioners in cities over 500,000 population within 5 days of receipt. The clerk shall forward the form immediately whenever registration closes within 5 days of receipt.

History: [1971 c. 304 s. 29 \(2\)](#); [1973 c. 166, 225, 334](#); [1975 c. 85, 199](#); [1977 c. 378, 394, 447](#); [1979 c. 32](#); [1981 c. 44 s. 3](#); [1981 c. 202 s. 23](#); [1983 a. 484](#); [1985 a. 304](#); [1989 a. 31, 192](#); [1991 a. 221](#); [1999 a. 49, 182](#); [2001 a. 38, 51](#); [2003 a. 265](#); [2005 a. 451](#); [2009 a. 302](#); [2011 a. 240](#); [2015 a. 261](#).

6.55 Polling place registration; voting by certification.

(2)

(a) Except where the procedure under par. [\(c\)](#) or [\(cm\)](#) is employed, any person who qualifies as an elector in the ward or election district where he or she desires to vote, but has not previously filed a registration form, or was registered at another location, may request permission to vote at the polling place for that ward or election district, or at an alternate polling place assigned under s. [5.25 \(5\) \(b\)](#).

6.86 Methods for obtaining an absentee ballot.

(b) Except as provided in this section, if application is made by mail, the application shall be received no later than 5 p.m. on the 5th day immediately preceding the election. If application is made in person, the application shall be made no earlier than the opening of business on the 3rd Monday preceding the election and no later than 7 p.m. on the Friday preceding the election. No application may be received on a legal holiday. An application made in person may only be received Monday to Friday between the hours of 8 a.m. and 7 p.m. each day. A municipality shall specify the hours in the notice under s. [10.01 \(2\) \(e\)](#). The municipal clerk or an election official shall witness the certificate for any in-person absentee ballot cast. Except as provided in par. (c), if the elector is making written application for an absentee ballot at the partisan primary, the general election, the presidential preference primary, or a special election for national office, and the application indicates that the elector is a military elector, as defined in s. [6.34 \(1\)](#), the application shall be received by the municipal clerk no later than 5 p.m. on election day. If the application indicates that the reason for requesting an absentee ballot is that the elector is a sequestered juror, the application shall be received no later than 5 p.m. on election day. If the application is received after 5 p.m. on the Friday immediately preceding the election, the municipal clerk or the clerk's agent shall immediately take the ballot to the court in which the elector is serving as a juror and deposit it with the judge. The judge shall recess court, as soon as convenient, and give the elector the ballot. The judge shall then witness the voting procedure as provided in s. [6.87](#) and shall deliver the ballot to the clerk or agent of the clerk who shall deliver it to the polling place or, in municipalities where absentee ballots are canvassed under s. [7.52](#), to the municipal clerk as required in s. [6.88](#). If application is made under sub. (2) or (2m), the application may be received no later than 5 p.m. on the Friday immediately preceding the election.

10.01 Election notice form.

(e) Type E — The type E notice shall state the qualifications for absentee voting, the procedures for obtaining an absentee ballot in the case of registered and unregistered voters, the places and the deadlines for application and return of application, including any alternate site under s. [6.855](#), and the office hours during which an elector may cast an absentee ballot in the municipal clerk's office or at an alternate site under s. [6.855](#). The municipal clerk shall publish a type E notice on the 4th Tuesday preceding each spring primary and election, on the 4th Tuesday preceding each partisan primary and general election, on the 4th Tuesday preceding the primary for each special national, state, county or municipal election if any, on the 4th Tuesday preceding a special county or municipal referendum, and on the 3rd Tuesday preceding each special national, state, county or municipal election to fill an office which is not held concurrently with the spring or general election. The clerk of each special purpose district which calls a special election shall publish a type E notice on the 4th Tuesday preceding the primary for the special election, if any, on the 4th Tuesday preceding a special referendum, and on the 3rd Tuesday preceding a special election for an office which is not held concurrently with the spring or general election except as authorized in s. [8.55 \(3\)](#).

Wyoming

2018 dates:

https://soswy.state.wy.us/Elections/Docs/2018/2018_Key_Election_Dates.pdf

Offers no-excuse absentee voting, and voters may cast their absentee ballots in person at the County Clerk's office 40 days before the election. Voters may also register on election day.

The parties hold closed presidential caucuses. Voters must be registered with the party (15 days in advance for Dems, 10 days in advance for Reps) in order to participate.

Closed primaries, but voters may change their affiliation at the polls on election day:

<http://soswy.state.wy.us/faqs.aspx?root=ELEC>

Q. Do I have to be registered as a Republican or Democrat to vote in the primary election?

- If you want to vote for Republican or Democratic candidates in the primary, you must be a registered voter of that party. Under Wyoming law, primary elections are mainly held to nominate candidates for partisan offices to be filled at the general election.
- If you are unaffiliated or are a member of a minor or provisional political party, you will receive a primary ballot containing only non-partisan candidates, i.e., municipal candidates.
- Wyoming law allows voters to change their party affiliation at the polling place on election day.

I code this as semi-open, because ANY voter (not just unaffiliated ones) can participate in a party's primary by affiliating with it on election day. But it is "closed" (and somewhat restrictive) in the sense that voters have to be affiliated with the party—participating in the primary requires a formal change in affiliation. So it could be coded as semi-closed, too.

Wyoming state code: <http://www.wyoleg.gov/StateStatutes/StatutesConstitution?tab=0>

22-5-212. When declaration of party affiliation required.

An elector requesting a major party ballot must declare his party affiliation, or sign an application for change of affiliation before he may receive a party ballot. An elector may vote only the nonpartisan ballot and if so, is not required to declare his party affiliation. Requesting a partisan primary election ballot constitutes a declaration of party affiliation. A change in declaration of party affiliation shall be entered on the poll list by the election judge.

22-5-214. Change in party affiliation.

An elector may change his party affiliation by completing an application signed before a notarial officer or election official, and filing it with the county clerk not less than fourteen (14) days before the primary election or at the polls on the day of the primary or general election, or when requesting an absentee ballot.

Election day registration:

§ 22-3-104. Methods of verification; signing oath; time for proving eligibility; registration locations.

(f) A person shall be registered to vote as follows:

(ii) Registration is effective:

(A) At the polls for the purpose of voting. Upon verification of the information, the voter shall continue to be registered. Upon failure of verification, the voter's registration shall be revoked in accordance with W.S. 22-3-105;

(g) On election day, applicants attempting to register who lack the proof required under this section shall be offered provisional ballots in accordance with W.S. 22-15-105 and permitted until the close of business on the day following the election to present documentation to the county clerk establishing their eligibility to register and to vote in the precinct.

Candidate filing:

§ 22-5-209. Time for filing nomination applications; certified list.

An application for nomination shall be filed not more than ninety-six (96) days and not later than eighty-one (81) days next preceding the primary election. Not later than sixty-eight (68) days before a primary election the secretary of state shall transmit to each county clerk a certified list of persons whose applications have been filed in the office of the secretary of state stating as to each his name, age, address, office sought and party affiliation.

Early voting:

§ 22-6-107. Time for possession of ballots and labels.

(a) Official ballots for primary and general elections shall be in the county clerk's possession forty (40) days before the election. If a clerk is unable to obtain ballots on time, the secretary of state shall provide by rule and regulation for the clerk to obtain and use substitute ballots.

§ 22-9-107. Delivering ballots to qualified applicants.

If the clerk determines that the applicant is entitled to vote, he shall mark the application "Accepted" and shall, not more than forty-five (45) days prior to the election, distribute to the applicant, or the individual designated by the applicant, the absentee ballot or ballots requested, instructions for marking the ballot and the required envelopes for use in returning the ballot.

